U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

April 16, 2015

Exemption No. 11338
Regulatory Docket No. FAA−2015−0021

Mr. Richard W. Zollinger, PE
Principal Environmental Engineer
R. W. Zollinger Consulting Engineers, Inc.
1408 Coraopolis Heights Road
Moon Township, PA 15108

Dear Mr. Zollinger:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

The Basis for Our Decision

By letter dated January 6, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of R. W. Zollinger Consulting Engineers, Inc. (hereinafter petitioner or operator) for an exemption. The exemption would allow the petitioner to operate an unmanned aircraft system (UAS) to conduct aerial data collection including LIDAR, visual photography, and infrared remote sensing applications.

See Appendix A for the petition submitted to the FAA describing the proposed operations and the regulations that the petitioner seeks an exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner.

Airworthiness Certification

The UAS proposed by the petitioner is a DJI Phantom 2

The petitioner requested relief from 14 CFR part 21, C*ertification procedures for products and parts, Subpart H—Airworthiness Certificates*. In accordance with the statutory criteria provided in Section 333 of Public Law 112−95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA finds that the requested relief from 14 CFR part 21, and any associated noise certification and testing requirements of part 36, is not necessary.

The Basis for Our Decision

You have requested to use a UAS for aerial data collection. The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grants of Exemption Nos. 11062 to Astraeus Aerial (*see* Docket No. FAA−2014−0352), 11109 to Clayco, Inc. (*see* Docket No. FAA−2014−0507), 11112 to VDOS Global, LLC (*see* Docket No. FAA−2014−0382), and 11213 to Aeryon Labs, Inc. (*see* Docket No. FAA−2014−0642), the FAA found that the enhanced safety achieved using an unmanned aircraft (UA) with the specifications described by the petitioner and carrying no passengers or crew, rather than a manned aircraft of significantly greater proportions, carrying crew in addition to flammable fuel, gives the FAA good cause to find that the UAS operation enabled by this exemption is in the public interest.

Having reviewed your reasons for requesting an exemption, I find that—

- They are similar in all material respects to relief previously requested in Grant of Exemption Nos. 11062, 11109, 11112, and 11213;
- The reasons stated by the FAA for granting Exemption Nos. 11062, 11109, 11112, and 11213 also apply to the situation you present; and
- A grant of exemption is in the public interest.

Our Decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, R. W. Zollinger Consulting Engineers, Inc. is granted an exemption from 14 CFR §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b), to the extent necessary to allow the petitioner to operate a UAS to perform aerial data collection. This exemption is subject to the conditions and limitations listed below.

Conditions and Limitations

In this grant of exemption, R. W. Zollinger Consulting Engineers, Inc. is hereafter referred to as the operator.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to the DJI Phantom 2. when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

2. Operations for the purpose of closed-set motion picture and television filming are not permitted.

3. The UA may not be operated at a speed exceeding 87 knots (100 miles per hour). The exemption holder may use either groundspeed or calibrated airspeed to determine compliance with the 87 knot speed restriction. In no case will the UA be operated at airspeeds greater than the maximum UA operating airspeed recommended by the aircraft manufacturer.

4. The UA must be operated at an altitude of no more than 400 feet above ground level (AGL). Altitude must be reported in feet AGL.

5. The UA must be operated within visual line of sight (VLOS) of the PIC at all times. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses, as specified on the PIC's FAA-issued airman medical certificate or U.S. driver's license.

6. All operations must utilize a visual observer (VO). The UA must be operated within the visual line of sight (VLOS) of the PIC and VO at all times. The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times; electronic messaging or texting is not permitted during flight operations. The PIC must be designated before the flight and cannot transfer his or her designation for the duration of the flight. The PIC must ensure that the VO can perform the duties required of the VO.

7. This exemption and all documents needed to operate the UAS and conduct its operations in accordance with the conditions and limitations stated in this grant of exemption, are hereinafter referred to as the operating documents. The operating documents must be accessible during UAS operations and made available to the Administrator upon request. If a discrepancy exists between the conditions and limitations in this exemption and the procedures outlined in the operating documents, the conditions and limitations herein take precedence and must be followed. Otherwise, the operator must follow the procedures as outlined in its operating documents. The operator may update or revise its operating documents. It is the operator's responsibility to track such revisions and present updated and revised documents to the Administrator or any law enforcement official upon request. The

operator must also present updated and revised documents if it petitions for extension or amendment to this grant of exemption. If the operator determines that any update or revision would affect the basis upon which the FAA granted this exemption, then the operator must petition for an amendment to its grant of exemption. The FAA's UAS Integration Office (AFS-80) may be contacted if questions arise regarding updates or revisions to the operating documents.

8. Any UAS that has undergone maintenance or alterations that affect the UAS operation or flight characteristics, e.g. replacement of a flight critical component, must undergo a functional test flight prior to conducting further operations under this exemption. Functional test flights may only be conducted by a PIC with a VO and must remain at least 500 feet from other people. The functional test flight must be conducted in such a manner so as to not pose an undue hazard to persons and property.

9. The operator is responsible for maintaining and inspecting the UAS to ensure that it is in a condition for safe operation.

10. Prior to each flight, the PIC must conduct a pre-flight inspection and determine the UAS is in a condition for safe flight. The pre-flight inspection must account for all potential discrepancies, e.g. inoperable components, items, or equipment. If the inspection reveals a condition that affects the safe operation of the UAS, the aircraft is prohibited from operating until the necessary maintenance has been performed and the UAS is found to be in a condition for safe flight.

11. The operator must follow the UAS manufacturer's maintenance, overhaul, replacement, inspection, and life limit requirements for the aircraft and aircraft components.

12. Each UAS operated under this exemption must comply with all manufacturer safety bulletins.

13. Under this grant of exemption, a PIC must hold either an airline transport, commercial, private, recreational, or sport pilot certificate. The PIC must also hold a current FAA airman medical certificate or a valid U.S. driver's license issued by a state, the District of Columbia, Puerto Rico, a territory, a possession, or the Federal government. The PIC must also meet the flight review requirements specified in 14 CFR § 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.

14. The operator may not permit any PIC to operate unless the PIC demonstrates the ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from persons, vessels, vehicles and structures. PIC qualification flight hours and currency must be logged in a manner consistent with 14 CFR § 61.51(b). Flights for the purposes of training the operator's PICs and VOs

(training, proficiency, and experience-building) and determining the PIC's ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption are permitted under the terms of this exemption. However, training operations may only be conducted during dedicated training sessions. During training, proficiency, and experience-building flights, all persons not essential for flight operations are considered nonparticipants, and the PIC must operate the UA with appropriate distance from nonparticipants in accordance with 14 CFR § 91.119.

15. UAS operations may not be conducted during night, as defined in 14 CFR § 1.1. All operations must be conducted under visual meteorological conditions (VMC). Flights under special visual flight rules (SVFR) are not authorized.

16. The UA may not operate within 5 nautical miles of an airport reference point (ARP) as denoted in the current FAA Airport/Facility Directory (AFD) or for airports not denoted with an ARP, the center of the airport symbol as denoted on the current FAA-published aeronautical chart, unless a letter of agreement with that airport's management is obtained or otherwise permitted by a COA issued to the exemption holder. The letter of agreement with the airport management must be made available to the Administrator or any law enforcement official upon request.

17. The UA may not be operated less than 500 feet below or less than 2,000 feet horizontally from a cloud or when visibility is less than 3 statute miles from the PIC.

18. If the UAS loses communications or loses its GPS signal, the UA must return to a pre-determined location within the private or controlled-access property.

19. The PIC must abort the flight in the event of unpredicted obstacles or emergencies.

20. The PIC is prohibited from beginning a flight unless (considering wind and forecast weather conditions) there is enough available power for the UA to conduct the intended operation and to operate after that for at least five minutes or with the reserve power recommended by the manufacturer if greater.

21. Air Traffic Organization (ATO) Certificate of Waiver or Authorization (COA). All operations shall be conducted in accordance with an ATO-issued COA. The exemption holder may apply for a new or amended COA if it intends to conduct operations that cannot be conducted under the terms of the attached COA.

22. All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with 14 CFR part 47, and have identification (N-Number) markings in accordance with 14 CFR part 45, Subpart C. Markings must be as large as practicable.

23. Documents used by the operator to ensure the safe operation and flight of the UAS and any documents required under 14 CFR §§ 91.9 and 91.203 must be available to the PIC at the Ground Control Station of the UAS any time the aircraft is operating. These documents must be made available to the Administrator or any law enforcement official upon request.

24. The UA must remain clear and give way to all manned aviation operations and activities at all times.

25. The UAS may not be operated by the PIC from any moving device or vehicle.

26. All Flight operations must be conducted at least 500 feet from all nonparticipating persons, vessels, vehicles, and structures unless:
    a. Barriers or structures are present that sufficiently protect nonparticipating persons from the UA and/or debris in the event of an accident. The operator must ensure that nonparticipating persons remain under such protection. If a situation arises where nonparticipating persons leave such protection and are within 500 feet of the UA, flight operations must cease immediately in a manner ensuring the safety of nonparticipating persons; and
    b. The owner/controller of any vessels, vehicles or structures has granted permission for operating closer to those objects and the PIC has made a safety assessment of the risk of operating closer to those objects and determined that it does not present an undue hazard.

    The PIC, VO, operator trainees or essential persons are not considered nonparticipating persons under this exemption.

27. All operations shall be conducted over private or controlled-access property with permission from the property owner/controller or authorized representative. Permission from property owner/controller or authorized representative will be obtained for each flight to be conducted.

28. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries of the operational area as defined by the applicable COA must be reported to the FAA's UAS Integration Office (AFS-80) within 24 hours. Accidents must be reported to the National Transportation Safety Board (NTSB) per instructions contained on the NTSB Web site: www.ntsb.gov.

If this exemption permits operations for the purpose of closed-set motion picture and television filming and production, the following additional conditions and limitations apply.

29. The operator must have a motion picture and television operations manual (MPTOM) as documented in this grant of exemption.

30. At least 3 days before aerial filming, the operator of the UAS affected by this exemption must submit a written Plan of Activities to the local Flight Standards District Office (FSDO) with jurisdiction over the area of proposed filming. The 3-day notification may be waived with the concurrence of the FSDO. The plan of activities must include at least the following:
    a. Dates and times for all flights;
    b. Name and phone number of the operator for the UAS aerial filming conducted under this grant of exemption;
    c. Name and phone number of the person responsible for the on-scene operation of the UAS;
    d. Make, model, and serial or N-Number of UAS to be used;
    e. Name and certificate number of UAS PICs involved in the aerial filming;
    f. A statement that the operator has obtained permission from property owners and/or local officials to conduct the filming production event; the list of those who gave permission must be made available to the inspector upon request;
    g. Signature of exemption holder or representative; and
    h. A description of the flight activity, including maps or diagrams of any area, city, town, county, and/or state over which filming will be conducted and the altitudes essential to accomplish the operation.

31. Flight operations may be conducted closer than 500 feet from participating persons consenting to be involved and necessary for the filming production, as specified in the exemption holder's MPTOM.

Unless otherwise specified in this grant of exemption, the UAS, the UAS PIC, and the UAS operations must comply with all applicable parts of 14 CFR including, but not limited to, parts 45, 47, 61, and 91.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/
John S. Duncan
Director, Flight Standards Service

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Sent Via Fax & Federal eRulemaking Portal

U.S. Department of Transportation, Docket Operations
West Building Ground Floor, Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590

SUBJECT: Section 333 – Petition for Exemption

Gentlemen:

R. W. Zollinger Consulting Engineers, Inc. (RZI), Environmental Management Consultants, is requesting an exemption under the following FAR's: **Part 21, §§45.23(b), 61.113(a) and (b), 91.7(a), 91.9(b)(2), 91.103, 91.109, 91.119, 91.121, 91.151(a), 91.203(a) and (b), 91.405(a), 91.407(a)(1), 91.409(a)(2), and 91.417(a) and (b)** of Title 14, Code of Federal Regulations (14 CFR). The proposed exemptions, if granted, would allow operation of unmanned aircraft systems (UAS) for the purpose of collection aerial data for various clients requesting services. Such data would include LIDAR remote sensing, visual photography, and infrared (IR) remote sensing applications.

The petitioner requests relief from the following regulations:

Part 21 prescribes, in pertinent part, the procedural requirements for issuing and changing design approvals, production approvals, airworthiness certificates, and airworthiness approvals.

Section 45.23(b) prescribes, in pertinent part, that when marks include only the Roman capital letter "N" and the registration number is displayed on limited, restricted or light- sport category aircraft or experimental or provisionally certificated aircraft, the operator must also display on that aircraft near each entrance to the cabin, cockpit, or pilot station, in letters not less than 2 inches nor more than 6 inches high, the words "limited," "restricted," "light-sport," "experimental," or "provisional," as applicable.

Section 61.113(a) and (b) prescribes that—

(a) no person who holds a private pilot certificate may act as a pilot in command of an aircraft that is carrying passengers or property for compensation or hire; nor may that person, for compensation or hire, act as pilot in command of an aircraft.

(b) a private pilot may, for compensation or hire, act as pilot in command of an aircraft in connection with any business or employment if:

(1) The flight is only incidental to that business or employment; and

(2) The aircraft does not carry passengers or property for compensation or hire.

Section 91.7(a) prescribes, in pertinent part, that no person may operate a civil aircraft unless it is in an airworthy condition.

Section 91.9(b)(2) prohibits operation of U.S.-registered civil aircraft unless there is available in the aircraft a current approved Airplane or Rotorcraft Flight Manual, approved manual material, markings, and placards, or any combination thereof.

Section 91.103 prescribes, in pertinent part, that each pilot in command shall, before beginning a flight, become familiar with all available information concerning that flight, to include—

(a) For a flight under IFR or a flight not in the vicinity of an airport, weather reports and forecasts, fuel requirements, alternatives available if the planned flight cannot be completed, and any known traffic delays of which the pilot in command has been advised by ATC;

(b) For any flight, runway lengths at airports of intended use, and the following takeoff and landing distance information:

(1) For civil aircraft for which an approved Airplane or Rotorcraft Flight Manual containing takeoff and landing distance data is required, the takeoff and landing distance data contained therein; and

(2) For civil aircraft other than those specified in paragraph (b)(1) of this section, other reliable information appropriate to the aircraft, relating to aircraft performance under expected values of airport elevation and runway slope, aircraft gross weight, and wind and temperature.

Section 91.109 prescribes, in pertinent part, that no person may operate a civil aircraft (except a manned free balloon) that is being used for flight instruction unless that aircraft has fully functioning dual controls.

Section 91.119 prescribes that, except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes:

(a) Anywhere. An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.

(b) Over congested areas. Over any congested area of a city, town, or settlement, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.

(c) Over other than congested areas. An altitude of 500 feet above the surface, except over open water or sparsely populated areas. In those cases, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure.

(d) Helicopters, powered parachutes, and weight-shift-control aircraft. If the operation is conducted without hazard to persons or property on the surface.

(1) A helicopter may be operated at less than the minimums prescribed in paragraph (b) or (c) of this section, provided each person operating the helicopter complies with any routes or altitudes specifically prescribed for helicopters by the FAA; and

(2) A powered parachute or weight-shift-control aircraft may be operated at less than the minimums prescribed in paragraph (c) of this section.

Section 91.121 requires, in pertinent part, each person operating an aircraft to maintain cruising altitude by reference to an altimeter that is set "to the elevation of the departure airport or an appropriate altimeter setting available before departure."

Section 91.151(a) prescribes that no person may begin a flight in an airplane under VFR conditions unless (considering wind and forecast weather conditions) there is enough fuel to fly to the first point of intended landing and, assuming normal cruising speed, (1) during the day, to fly after that for at least 30 minutes; or (2) At night, to fly after that for at least 45 minutes. [emphasis added]

Section 91.203(a) prohibits, in pertinent part, any person from operating a civil aircraft unless it has within it (1) an appropriate and current airworthiness certificate; and (2) an effective U.S. registration certificate issued to its owner or, for operation within the United States, the second copy of the Aircraft Registration Application as provided for in § 47.31(c).

Section 91.203(b) prescribes, in pertinent part, that no person may operate a civil aircraft unless the airworthiness certificate or a special flight authorization issued under § 91.715 is displayed at the cabin or cockpit entrance so that it is legible to passengers or crew.

Section 91.405(a) requires, in pertinent part, that an aircraft operator or owner shall have that aircraft inspected as prescribed in subpart E of the same part and shall, between required

inspections, except as provided in paragraph (c) of the same section, have discrepancies repaired as prescribed in part 43 of the chapter.

Section 91.407(a)(1) prohibits, in pertinent part, any person from operating an aircraft that has undergone maintenance, preventive maintenance, rebuilding, or alteration unless it has been approved for return to service by a person authorized under § 43.7 of the same chapter.

Section 91.409(a)(2) prescribes, in pertinent part, that no person may operate an aircraft unless, within the preceding 12 calendar months, it has had an inspection for the issuance of an airworthiness certificate in accordance with part 21 of this chapter.

Section 91.417(a) and (b) prescribes, in pertinent part, that:

(a) Each registered owner or operator shall keep the following records for the periods specified in paragraph (b) of this section:

(1) Records of the maintenance, preventive maintenance, and alteration and records of the 100-hour, annual, progressive, and other required or approved inspections, as appropriate, for each aircraft (including the airframe) and each engine, propeller, rotor, and appliance of an aircraft. The records must include:

(i) A description (or reference to data acceptable to the Administrator) of the work performed;

(ii) The date of completion of the work performed; and

(iii) The signature and certificate number of the person approving the aircraft for return to service.

(2) Records containing the following information:

(i) The total time in service of the airframe, each engine, each propeller, and each rotor.

(ii) The current status of life-limited parts of each airframe, engine, propeller, rotor, and appliance.

(iii) The time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis.

(iv) The current inspection status of the aircraft, including the time since the last inspection required by the inspection program under which the aircraft and its appliances are maintained.

(v) The current status of applicable airworthiness directives (AD) and safety directives including, for each, the method of compliance, the AD or safety directive number and revision date. If the AD or safety directive involves recurring action, the time and date when the next action is required.

(vi) Copies of the forms prescribed by § 43.9(d) of this chapter for each major alteration to the airframe and currently installed engines, rotors, propellers, and appliances.

(b) The owner or operator shall retain the following records for the periods prescribed:

(1) The records specified in paragraph (a)(1) of this section shall be retained until the work is repeated or superseded by other work or for 1 year after the work is performed.

(2) The records specified in paragraph (a)(2) of this section shall be retained and transferred with the aircraft at the time the aircraft is sold.

(3) A list of defects furnished to a registered owner or operator under § 43.11 of this chapter shall be retained until the defects are repaired and the aircraft is approved for return to service.

The petitioner supports its request with the following information:

Unmanned Aircraft System

The UAS proposed by the petitioner is a proprietary design, conceived and constructed by DJI, and referred to as the DJI Phantom 2. This aircraft has four rotors and four motors in a quadcopter configuration (X4). The petitioner states that given the size, weight, speed, and limited operating area associated with the aircraft to be utilized by the applicant, an exemption from 14 CFR part 21, Subpart H (Airworthiness Certificates), subject to certain conditions and limitations, is warranted and meets the requirements for an equivalent level of safety under 14 CFR part 11 and Section 333 of the FAA Modernization and Reform Act of 2012 (PL 112-95). The petitioner further states that UAS operated without an airworthiness certificate in the restricted environment and under the conditions and limitations proposed by the petitioner will be at least as safe, or safer, than a conventional aircraft (fixed wing or rotorcraft) operating with an airworthiness certificate issued under 14 CFR part 21, Subpart H and not subject to the proposed conditions and limitations.

- The petitioner states that the unmanned aircraft (UA) to be operated under this request is less than 10 lbs with equipment loaded, flies at a speed of no more than 30 knots, carries

neither a pilot nor passenger, carries no explosive materials or flammable liquid fuels, and operates exclusively within private property.

- The petitioner states that they will be operating their UA within Visual Line of sight. The operator will maintain visual contact with the UA without the aid of binoculars or any other method to see the UA

- The petitioner further describes that, in the event the UAS loses communications or its GPS signal, the UA will have the capability to return to a pre-determined location within the Security Perimeter and land. It will also have the capability to abort a flight in the event of unpredicted obstacles or emergencies. The DJI Phantom has a failsafe function preloaded from the manufacturer.

- The petitioner also states that the unmanned aircraft will be flown under 400 ft AGL. The DJI Phantom has an altitude read out which will be displayed on a video monitor along with a separate display on an IPAD. The altimeter will be **reset** to ground level at an altitude of zero feet. This will be part of a before flight checklist. A pre-flight, before takeoff checklist will be read and complied with for every flight. All of the flights will be operated in Class G airspace at this time. If flights occur under the shelf or inside Pittsburgh class B airspace. A COA application will be submitted. Notification to the local FSDO will be complied with. After communication with the FSDO appropriate local air traffic control will be notified for and appropriate NOTAM to be filed.

- The petitioner states that the radio remote control that operates the UA is in FCC compliance. The device complies with part 15 of the FCC rules. The FCC ID is SS3-201306002.

The petitioner states that even though its UAS will have no airworthiness certificate, an exemption may be needed from 14 CFR § 45.23 as the UA will have no entrance to the cabin, cockpit, or pilot station on which the word "experimental" can be placed. Given the size of the UA, the petitioner notes that the two-inch lettering will be impossible. The petitioner asserts that an equivalent level of safety will be provided by having the UA marked with the word "experimental" on the fuselage in compliance with 14 CFR § 45.29(f), in a location where the pilot, observer, and others working with the UA will see the identification.

The petitioner states that the maintenance requirements in the pertinent sections of 14 CFR part 91 are only applicable to aircraft with an airworthiness certificate in accordance with part 43. The petitioner states that its DJI Phantom does not have specific maintenance instructions; therefore the petitioner has developed a Preflight Checklist. The petitioner has also stated that it intends to follow any manufacturers' recommended instructions and procedures when those procedures exist for certain components of its DJI Phantom.

UAS Pilot In Command (PIC)

The operating pilot currently has an ATP commercial pilots license. FAA certificate #3059604. Current 1st class medical, issue date 12/3/2014. Approximately 7000 hours of flight time in the past 10 years. 1 year of drone experience accumulating approximately 150 hours with the DJI product.

UAS Operating Parameters

The petitioner states that all flights will be operated within visual line of sight (VLOS) of a pilot and/or observer, and that the UA flights will be limited to a maximum altitude of 400 feet AGL. The petitioner asserts that an equivalent level of safety can be achieved given the size, weight, and speed of the UAS, as well as the location where it is operated. The petitioner states that the UAS will be operated within a safe operating perimeter, the boundaries of which will be determined by production personnel and the UA PIC based on the site-specific data collecting activities and speed of the UA required for the operation, and coordinated with the jurisdictional FAA FSDO and local government officials as applicable. The safety of conducting flights by a UA is drastically safer than the alternative. A helicopter is the alternative to gaining close high resolution photos or infrared data. The UA carries no flammable fuel and poses virtually no safety threat to any workers on site.

With respect to preflight actions, the petitioner notes it may need an exemption from 14 CFR §91.103, because it will not have approved rotorcraft flight manuals, although there are 3 checklists that will be adhered to prior to any flight. The petitioner asserts that an equivalent level of safety will be achieved by the PIC taking all preflight actions as set forth in their checklist, including reviewing weather, flight battery requirements. Additionally, the petitioner states that a briefing will be conducted prior to each day's data collecting regarding planned UA operations, and all personnel who will be performing duties within the boundaries of the safety perimeter will be required to attend.

With respect to the fuel requirements, the petitioner notes that, in order to meet the 30 minute reserve requirements in 14 CFR §91.151, UAS flights would have to be limited to approximately 0 minutes. The petitioner believes that an equivalent level of safety can be achieved by limiting flights to 15 minutes or 25% of battery power, whichever occurs first.

The petitioner notes that it may need an exemption from 14 CFR §91.121, as its UAS may have a GPS altitude read out instead of a barometric altimeter. The petitioner asserts that an equivalent level of safety will be achieved. Specifically, the altitude information will be provided to the UA PIC via a digitally encoded telemetric data feed. Prior to each flight, a zero altitude initiation point will be established and confirmed for accuracy by the PIC.

Public Interest

The petitioner states that, given the small size of the UA involved and the restricted sterile environment within which it will operate, its proposed operation "falls squarely within that zone of safety (an equivalent level of safety) in which Congress envisioned that the FAA must, by exemption, allow commercial operations of UAS to commence immediately." Also due to the size of the UA and the restricted areas in which the UAS will operate, approval of the application presents no national security issue. The petitioner states that, given the clear direction in Section 333, the strong equivalent level of safety surrounding the proposed operations, and the significant public benefit, including enhanced safety, reduction in environmental impacts, and including reduced emissions associated with allowing UA for LIDAR remote sensing, visual photography, and IR remote sensing operations, granting the requested exemptions is in the public interest.

Thank you for your timely consideration of this petition for exemption under Section 333, and please contact any of the undersigned individuals associated with RZI Environmental Management Consultants should any additional information be necessary to favorably consider this exemption petition.

Sincerely,

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Matthew Mercurio, GISP
Principal GIS Manager
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Richard W. Zollinger, PE
Principal Environmental Engineer
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R. W. Zollinger Consulting Engineers, Inc. (RZI)
Environmental Management Consultants
January 2015

UAS Checklist

AUTHORIZATION:

- UA Registration, Operator license/medical
- Letter of Exemption, COA (if applicable)
- FSDO notified/ATC notified, operating within NOTAM time

ENVIRONMENTAL:

- Check for people, and property limits within flight vicinity
- Notify workers or bystanders of intentions
- Obtain a weather forecast, no precipitation expected within flight
- Wind speed less than 10 mph
- First Aid/Safety kit on hand

HARDWARE/EQUIPMENT:

- Visual Inspection of the Airframe
    - Cracks in airframe or landing gear
    - Loose or damaged screws/fasteners/bands/straps/ties
    - Loose or damaged wiring
    - Inspect prop mounts & screws and apply pressure to ensure propellers are secured
    - Props are smooth and free of damage/defect (check blade, surface & hub)
    - For FPV, inspect clean GoPro camera lens and ensure it is secure
        - Data card is empty and battery is charged
        - Camera is in correct mode for the assignment
    - UA battery is fully charged and secured
    - Check whether the transmitter is paired with the UA

PRE-FLIGHT:

- Batteries charged & secured
- Position UA on a level safe location for takeoff
    - If takeoff point not level, use portable takeoff/landing pad
- For FPV, power up ground station IPAD, video receiver
- Onboard camera, turn on
- All transmitter controls and switches in correct position
- Radio transmitter on
- UA power on
- Ensure led indicators are correct and UA has no error codes
- FPV check video feed

FLIGHT:

- Scan for nearby people or animals
- Stand clear, announce "CLEAR!"
- Activate props at ground idle
- Hover at 5 -10 feet for 20-30 seconds
- If no error codes, commence with flight