



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

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

September 15, 2015

Exemption No. 12855
Regulatory Docket No. FAA-2015-2664

Mr. Cory Arendt
International-Wind, Inc.
1540 Gaylord Street
Long Beach, CA 90813

Dear Mr. Arendt:

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.

By letter dated June 3, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of International-Wind, Inc. (hereinafter petitioner or operator) for an exemption. The petitioner requested to operate an unmanned aircraft system (UAS) to conduct wind power plant inspection.

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 Inspire 1.

The petitioner requested relief from 14 CFR part 21, *Certification 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, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, 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 collection¹. 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, International-Wind, 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.

¹ Aerial data collection includes any remote sensing and measuring by an instrument(s) aboard the UA. Examples include imagery (photography, video, infrared, etc.), electronic measurement (precision surveying, RF analysis, etc.), chemical measurement (particulate measurement, etc.), or any other gathering of data by instruments aboard the UA.

Conditions and Limitations

In this grant of exemption, International-Wind, 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 Inspire 1 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.nts.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 September 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service

Enclosures

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC.

Regulatory Docket No. _____

IN THE MATTER OF THE PETITION FOR EXEMPTION OF:
INTERNATIONAL-WIND, INC.
FOR AN EXEMPTION SEEKING RELIEF FROM THE REQUIREMENTS OF
TITLE 14 OF THE CODE OF FEDERAL REGULATIONS (14 CFR) PART 21
SECTIONS; §§ 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).
CONCERNING OPERATION OF AN UNMANNED AIRCRAFT SYSTEM
PURSUANT TO SECTION 333 OF THE
FAA MODERNIZATION AND REFORM ACT OF 2012

Submitted on June 3, 2015
International-Wind, Inc.
Cory Arendt (Pro Se.)
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Long Beach, CA 90813
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TABLE OF CONTENTS

	Page
GLOSSARY OF ABBREVIATIONS	3
SUMMARY	4
INTRODUCTION AND INTERESTS OF PETITIONER	4
BACKGROUND	5
BASIS FOR PETITION	7
NAME AND ADDRESS OF PETITIONER	7
SPECIFIC SECTIONS OF 14 C.F.R. FROM WHICH INTERNATIONAL-WIND, SEEKS EXEMPTION	7
THE EXTENT OF RELIEF INTERNATIONAL-WIND SEEKS AND THE REASON INTERNATIONAL-WIND, SEEKS RELIEF.....	12
REASONS WHY GRANTING INTERNATIONAL-WIND, REQUEST WOULD BE IN THE PUBLIC INTEREST	13
THE REASONS WHY GRANTING THE EXEMPTION WOULD NOT ADVERSELY AFFECT SAFETY.....	13
FLIGHT OPERATIONS	15
CONCLUSION	18

GLOSSARY OF ABBREVIATIONS

AGL Above Ground Level

ATC Air Traffic Control

COA Certificate of Authorization

FAA Federal Aviation Administration

FAR Federal Aviation Regulation

NAS National Airspace System

Section 333 FAA Modernization and Reform Act of 2012, Section 333

SMS Safety Management System

UAV Unmanned Aircraft System

VFR Visual Flight Rules

VMC Visual Meteorological Conditions

VTOL Vertical Take Off and Landing

SUMMARY

International-Wind, Inc., seeks exemption from the requirements of 14 C.F.R. §§ 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), 1.407(a)(1), 91.409(a)(2), and 91.417(a) and (b)., as well as the restricted category airworthiness certification standards specified in 14 C.F.R. § 21.185, including the requirement to have a certificate of airworthiness as contemplated by 14 C.F.R. Part 21.

This exemption will permit International-Wind, Inc. to operate its various Unmanned Aircraft Vehicles (“UAV”) at or above wind power generation facilities, wind turbines, wind turbine blades, wind turbine nacelles and other remote/uninhabited locations, while keeping the documents required by the regulations at the ground control station and immediately accessible to the pilot in command. Furthermore, the exemption will relieve International-Wind, Inc. from the airworthiness certificate standards and the requirement to have a certificate of airworthiness issued for its UAV. This exemption will also permit any required markings concerning the operational status of its UAV to be displayed on the main section of the unmanned aircraft.

INTRODUCTION AND INTERESTS OF THE PETITIONER

International-Wind, Inc. is a 7 year old wind power plant inspection firm with a long and well-recognized history in 3rd party inspections, Operations & Maintenance, Expert Witness Services and Root Cause Analysis of failures in the power generation and composites industry. International-Wind, Inc. has an extensive history of utilizing multi-rotor Vertical Take Off and Landing Unmanned Aerial Vehicles, (VTOL) (UAV’s), for the purpose of making highly accurate aerial inspections of wind turbine rotor blades and onshore pipelines for a range of clients and various similar applications.

Since 2008, International-Wind, Inc. has been operating a variety of VTOL aircraft for wind power plant aerial inspections and will continue to acquire additional UAV’s all under 55 lbs in weight. As set forth in this Petition, International-Wind, Inc. seeks to operate its UAV’s for the special purpose of aerial inspections of its legacy power generation customers and to expand to support the growth of new customers in the onshore and offshore regions of the United States. International-Wind, Inc. plans to do this with a continued focus on safety and the highest standards of quality, maintenance and reliability.

BACKGROUND

Unmanned Aircraft Vehicle: Inspire 1 UAV

International-Wind, Inc. seeks an exemption to operate its existing Inspire 1, UAV, for compensation or hire within the national airspace system ("NAS").

The Inspire 1 UAV is comprised of a VTOL unmanned aircraft and a transportable ground station. The Inspire 1 UAV has a maximum gross weight of approximately six and one half (6.5) pounds and the following technical and operational specifications:

Aircraft Model	T600
Weight (Battery Included)	2935 g
Hovering Accuracy (GPS mode)	Vertical: 0.5 m Horizontal: 2.5 m
Max Angular Velocity	Pitch: 300°/s Yaw: 150°/s
Max Tilt Angle	35°
Max Ascent Speed	5 m/s
Max Descent Speed	4 m/s
Max Speed	22 m/s (ATTI mode, no wind)
Max Flight Altitude	4500 m
Max Wind Speed Resistance	10 m/s
Max Flight Time	Approximately 18 minutes
Motor Model	DJI 3510
Propeller Model	DJI 1345
Indoor Hovering	Enabled by default
Operating Temperature Range	-10° to 40° C
Diagonal Distance	559 to 581 mm
Dimensions	438 x 451 x 301 mm

For more information on DJI Inspire 1 user manual, visit:

http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_User_Manual_v1.0_en.pdf



FIGURE 1: INTERNATIONAL-WIND'S INSPIRE 1 WITH BUILT IN VIDEO/CAMERA SYSTEM

International-Wind, Inc. will submit an Aircraft Registration Application for each UAV upon the grant of the exemptions sought by this Petition.

Proven Operational History of: Inspire 1 UAV in the NAS

The DJI Inspire 1 UAV's are currently operating safely within the NAS. International-Wind, Inc. has been operating UAV's under 55lbs for the past 5 years without any recorded incident, accident or failure.

BASIS FOR PETITION

Petitioner, International-Wind, Inc., pursuant to the provisions of the Federal Aviation Regulations (14 C.F.R. § 11.61) and the FAA Modernization and Reform Act of 2012, Section 333, Special Rules for Certain Unmanned Aircraft Systems, hereby petitions the Administrator for an exemption from the requirements of 14 C.F.R. §§ 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), 1.407(a)(1), 91.409(a)(2), and 91.417(a) and (b), as well as the restricted category airworthiness certification standards specified in 14 C.F.R. § 21.185, including the requirement to have a certificate of airworthiness as contemplated by 14 C.F.R. Part 21.

In accordance with 14 C.F.R. § 11.81, International-Wind, Inc. provides the following information in support of its petition for exemption:

A) Name and Address Of The Petitioner.

The name and address of the Petitioner is:

International-Wind, Inc.

Mailing Office: 1540 Gaylord Street; Long Beach, CA 90813

General Office: 1540 Gaylord Street; Long Beach, CA 90813

The point of contact for this Petition and specific contact information is as follows:

Cory Arendt

International-Wind, Inc.

Mailing Office: 1540 Gaylord Street; Long Beach, CA 90813

Phone: (562) 472-1500

Email: CArendt@International-Wind.com

The Specific Sections of 14 C.F.R. From Which International-Wind, Inc. Seeks Exemption.

1. 14 C.F.R. Part 21, Subpart H: Airworthiness Certificates 14 C.F.R. §91.203 (a) (1)

Subpart H, entitled Airworthiness Certificates, establishes the procedural requirements for the issuance of airworthiness certificates as required by FAR §91.203 (a) (1). Given the size and limited operating area associated with the aircraft to be utilized by International-Wind, Inc., an exemption from Part 21 Subpart H meets the requirements of an equivalent level of safety under Part 11 and Section 333 of the Reform Act. The Federal Aviation Act (49 U.S.C. §44701 (f)) and Section 333 of the Reform Act both authorize the FAA to exempt aircraft from the requirement for an airworthiness certificate, upon consideration of the size, weight, speed, operational capability, and proximity to airports and populated areas of the particular UAV. In all cases, an analysis of these criteria demonstrates that the UAV operated without an airworthiness certificate, in the restricted environment and under the conditions proposed will be at least as safe, or safer, than a conventional aircraft (fixed wing or rotorcraft) operating with an airworthiness certificate without the restrictions and conditions proposed.

All of the UAV's to be operated hereunder are less than 55 lbs. fully loaded, carry neither a pilot nor passenger, carry no explosive materials or flammable liquid fuels, and operate exclusively within a secured area as set out in the International-Wind, Inc. Operations Manual. Unlike other civil aircraft, operations under this exemption will be tightly controlled and monitored by both the operator, pursuant to the Manual's requirements, and under the requirements and in compliance with local public safety requirements, to provide security for the area of operation as is now done with conventional inspections. The FAA will have advance notice of all operations. These safety enhancements, which already apply to civil aircraft operated in connection with power generation inspections, provide a greater degree of safety to the public and property owners than conventional operations conducted with airworthiness certificates issued under 14 C.F.R. Part 21, Subpart H. Lastly, application of these same criteria demonstrates that there is no credible threat to national security posed by the UAV's, due to their size, speed of operation, location of operation, lack of explosive materials or flammable liquid fuels, and inability to carry a substantial external load.

2. 14 C.F.R. § 45.23 (b). Marking of the Aircraft

The regulation requires: 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.

Even though the UAV will have no airworthiness certificate, an exemption may be needed as the UAV will have no entrance to the cabin, cockpit or pilot station on which the words "limited," "restricted," "light-sport," "experimental," or "provisional," can be placed. Given the size of the UAV, two-inch lettering will be impossible. The word "experimental," may be placed on one of the rotor arms of each UAV, in compliance with §45.29 (f). The equivalent level of safety will be provided by having the UAVs marked on their rotor arm as required by §45.29 (f) where the pilot, observer and others working with the UAV will see the identification of the UAV as "experimental,".

The FAA has issued the following exemptions to this regulation to Exemptions Nos. 10700, 8738, 10167 and 10167A.

3. 14 C.F.R. §61.113 (a) & (b): Private Pilot Privileges and Limitations: Pilot in Command.

Because the UAVs will not carry a pilot or passengers, the proposed operations can achieve the equivalent level of safety of current operations by requiring the PIC operating the aircraft to have competent training and experience as a Remote Controller Pilot rather than a private pilot's license or a commercial pilot's license to operate these small UAVs. Unlike a conventional aircraft that carries the pilot and passengers, International-Wind, Inc.' UAVs are remotely controlled with no living thing on board. The area of operation is controlled and restricted, and all flights are planned and coordinated in advance as set forth in the International-Wind, Inc. Operations Manual IWI-006

Rev. 3 (Manual). The level of safety provided by the requirements included in the Manual exceeds that provided by a single individual holding a commercial pilot's certificate operating a conventional aircraft. The risks associated with the operation of the UAVs are so diminished from the level of risk associated with commercial operations contemplated by Part 61 when drafted, that allowing operations of these UAVs as requested with a competent trained and experienced Remote Controller Pilot as the PIC exceeds the present level of safety achieved by 14 C.F.R. §61.113 (a) & (b).

4. 14 C.F.R. §91.7(a): Civil aircraft airworthiness.

The regulation requires that no person may operate a civil aircraft unless it is in airworthy condition. As there will be no airworthiness certificate issued for the aircraft, should this exemption be granted, no FAA regulatory standard will exist for determining airworthiness. Given the size of the aircraft and the requirements contained in the Manual for maintenance and use of safety check lists prior to each flight, as set forth in Sections J, L and Q, an equivalent level of safety will be provided.

5. 14 C.F.R. § 91.9 (b) (2): Civil Aircraft Flight Manual in the Aircraft.

Section 91.9 (b) (2) provides:

No person may operate a U.S.-registered civil aircraft ...

(2) For which an Airplane or Rotorcraft Flight Manual is not required by §21.5 of this chapter, 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.

The UAVs, given their size and configuration have no ability or place to carry such a flight manual on the aircraft, not only because there is no pilot on board, but because there is no room or capacity to carry such an item on the aircraft.

The equivalent level of safety will be maintained by keeping the flight manual at the ground control point where the pilot flying the UAV will have immediate access to it. The FAA has issued the following exemptions to this regulation: Exemption Nos. 8607, 8737, 8738, 9299, 9299A, 9565, 9565B, 10167, 10167A, 10602, 32827, and 10700.

6. 14 C.F.R. § 91.103: Preflight action

This regulation requires each pilot in command to take certain actions before flight to insure the safety of flight. As FAA approved rotorcraft flight manuals will not be provided for the aircraft an exemption will be needed. An equivalent level of safety will be provided as set forth in the Manual. The PIC will take all actions including reviewing weather, flight battery requirements, landing and takeoff distances and aircraft performance data before initiation of flight.

7. 14 C.F.R. §91.109: Flight instruction:

Section 91.103 provides 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.

UAVs and remotely piloted aircraft, by their design do not have fully functional dual controls. Flight control is accomplished through the use of a control box that communicates with the aircraft via radio communications. The FAA has approved exemptions for flight training without fully functional dual controls for a number of aircraft and for flight instruction in experimental aircraft. See Exemption Nos. 5778K & 9862A. The equivalent level of safety provided by the fact that neither a pilot nor passengers will be carried in the aircraft and by the size and speed of the aircraft.

8. 14 C.F.R. §91.119: Minimum safe altitudes

Section 91.119 establishes safe altitudes for operation of civil aircraft. Section 91.119(d) allows helicopters to be operated at less than the minimums prescribed, provided the person operating the helicopter complies with any route or altitudes prescribed for helicopters by the FAA. As this exemption is for a UAV that is a multi-rotor VTOL and the exemption requests authority to operate at altitudes up to 400 ft. AGL, or not more than 200 ft. above an elevated platform from which operations are planned, an exemption may be needed to allow such operations. As set forth herein, except for the limited conditions stated in the Manual, the UAV will never operate at higher than 400 ft. AGL. It will however be operated in a restricted area with security perimeter, where buildings and people will not be exposed to operations without their pre-obtained consent.

The equivalent level of safety will be achieved given the size, weight, speed of the UAVs as well as the location where they will be operated. No flight will be taken without the permission of the property owner or local officials. Because of the advance notice to the property owner and participants in the filming activity, all affected individuals will be aware of the planned flight operations as set forth in the Manual. Compared to flight operations with aircraft or rotorcraft weighting far more than the maximum 55 lbs. proposed herein and the lack of flammable fuel, any risk associated with these operations is far less than those presently presented with conventional aircraft operating at or below 400 ft. AGL in the power generation industry. In addition, the low-altitude operations of the UAVs will ensure separation between these small UAV operations and the operations of conventional aircraft that must comply with Section 91.119.

9. 14 C.F.R. §91.121 Altimeter Settings

This regulation requires 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." As the UAV may not have a barometric altimeter, but instead a GPS altitude read out, an exemption may be needed. An equivalent level of safety will be achieved by the operator, pursuant to the Manual and Safety Check list, confirming the altitude of the launch site shown on the GPS altitude indicator before flight.

10. 14 C.F.R. § 91.151(a): Fuel Requirements for Flight in VFR Conditions

Section 91.151 (a) prohibits an individual from beginning "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."

The batteries powering all of International-Wind, Inc.'s UAV's provide approximately 35 minutes of powered flight. To meet the 30 minute reserve requirement in 14 CFR §91.151, UAV flights would be limited to approximately five (5) minutes in length. Given that this limitation would prohibit the flight of the UAV's a longer time frame for flight in daylight or night VFR conditions is reasonable.

International-Wind, Inc. believes that an exemption from 14 CFR §91.151(a) falls within the scope of prior exemptions. See Exemption 10673 (allowing Lockheed Martin Corporation to operate without compliance with FAR 91.151 (a)). Operating the small UAV, in a tightly controlled area where only people and property owners or official representatives who have signed waivers will be allowed, with less than 30 minutes of reserve fuel, does not engender the type of risks that Section 91.151(a) was intended to alleviate given the size and speed of the small UAV.

Additionally, limiting UAV flights to 5 minutes would greatly reduce the utility for which the exemption will be granted.

International-Wind, Inc. believes that an equivalent level of safety can be achieved by limiting flights to 25% of battery power. This restriction would be more than adequate to return the UAV's to their planned landing zone from anywhere in their limited operating area.

Similar exemptions have been granted to other operations, including Exemptions 2689F, 5745, 10673, and 10808.

11. 14 C.F.R. §91.203 (a) and (b): Carrying Civil Aircraft Certification and Registration

The regulation provides in pertinent part:

(a) Except as provided in § 91.715, no person may operate a civil aircraft unless it has within it the following:

(1) An appropriate and current airworthiness certificate. . . .

(b) No person may operate a civil aircraft unless the airworthiness certificate required by paragraph (a) of this section 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.

All of International-Wind, Inc.' UAV's fully loaded weigh no more than 55 lbs and are operated without an onboard pilot. As such, there is no ability or place to carry certification and registration documents or to display them on the UAV's.

An equivalent level of safety will be achieved by keeping these documents at the ground control point where the pilot flying the UAV will have immediate access to them, to the extent they are applicable to the UAV. The FAA has issued numerous exemptions to this regulation. A representative sample of other exceptions includes Exemption Nos. 9565, 9665, 9789, 9789A, 9797, 9797A, 9816A, and 10700.

12. 14 C.F.R. §91.405 (a); 407 (a) (1); 409 (a) (2); 417(a) & (b): Maintenance Inspections

These regulations require that an aircraft operator or owner "shall have that aircraft inspected as prescribed in subpart E of this part and shall between required inspections, except as provided in paragraph (c) of this section, have discrepancies repaired as prescribed in part 43 of this chapter..." and others shall inspect or maintain the aircraft in compliance with Part 43.

Given that these sections and Part 43 apply only to aircraft with an airworthiness certificate, these sections will not apply to International-Wind, Inc. Maintenance will be accomplished by International-Wind, Inc. pursuant to the flight manual and operating handbook as referenced in the Manual.(See Sections L and Q) An equivalent level of safety will be achieved because these small UAVs are very limited in size and will carry a small payload and operate only in restricted areas for limited periods of time. If mechanical issues arise the UAV can land immediately and will be operating from no higher than 400 feet AGL. As provided in the Manual, International-Wind, Inc. will ensure that every UAV is in working order prior to initiating flight, perform required maintenance, and keep a log of any maintenance performed. Moreover, the operator is the person most familiar with the aircraft and best suited to maintain the aircraft in an airworthy condition to provide the equivalent level of safety.

13. The Extent Of Relief International-Wind, Inc. Seeks And The Reason International-Wind, Inc. Seeks Relief From 14 C.F.R. § 21.185.

International-Wind, Inc. seeks relief from the airworthiness certificate requirements of the Federal Aviation Regulations and proposes to commercially operate the Inspire 1 UAV, without an airworthiness certificate, for the special purpose of conducting aerial inspection services for its customers, pursuant to specific operating limitations and a Safety Management System (“SMS”). International-Wind, Inc. seeks relief from the airworthiness certificate requirements of 14 C.F.R. § 21.185 to the extent that the Inspire 1 UAV, which have not yet been type certificated by the FAA, may be operated as if they were a restricted category aircraft for a single, defined, special purpose operation (i.e., aerial inspection).

Pursuant to the FAA Modernization and Reform Act of 2012, Section 333 (“Section 333”), International-Wind, Inc. seeks relief from the airworthiness certificate requirements of the FAR because operation of the Inspire 1 UAV will not create a hazard to users of the NAS, or the public, or otherwise pose a threat to national security. Section 333 sets forth the requirements for considering whether a UAV will create a hazard to users of the NAS or the public or pose a threat to national security. Further, Section 333 provides the authority for such UAV to operate without airworthiness certification.

Specifically, Section 333 states the following, in part:

(b) Assessment of Unmanned Aircraft Systems.--In making the determination under sub section (a), the Secretary shall determine, at a minimum--

(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, and operation within visual line of sight do not create a hazard to users of the national airspace system or the public or pose a threat to national security; and

(2) whether a certificate of waiver, certificate of authorization, or airworthiness certification under section 44704 of title 49, United States Code, is required for the operation of unmanned aircraft systems identified under paragraph (1) set forth below, numerous factors, including the proven safe operational history of the Inspire 1 UAV in the NAS, as well as the specific parameters of International-Wind, Inc.’ intended operation pursuant to this exemption, demonstrate that the Inspire 1 UAV have in the past, and will continue in the future, to operate safely in the NAS without creating a hazard to other aircraft or people on the ground. Accordingly, the FAA may approve operation of the Inspire 1 UAV, without an airworthiness certificate, by setting forth specific operating limitations to ensure a level of safety equivalent to what would be provided by airworthiness certification.

Pursuant to 14 C.F.R. Part 11, the following summary is provided for publication in the Federal Register, should it be determined that publication is needed:

International-Wind, Inc. seeks an exemption from the following rules:

14 C.F.R. §21, subpart H; 14 C.F.R. 45.23(b); §§ 61.113(a) & (b); 91.7(a); 91.9 (b) (2); 91.103 (b); 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); 91.409 (a) (2), 91.417 (a) & (b), as well as the restricted category airworthiness certification standards specified in 14 C.F.R. § 21.185 to operate commercially unmanned vehicle (55lbs or less) for aerial inspections.

Approval of exemptions allowing commercial operations of UAVs in the power generation inspection industry will enhance safety by reducing risk. Conventional power generation inspections, using persons dangling from ropes at altitudes of 300 to 450 feet are potential cause for falls, death or injury. In contrast, an International-Wind, Inc. UAV weighing fewer than 55 lbs. and powered by batteries eliminates virtually all human risk to serious falls given that the PIC is on the ground.

Every International-Wind, Inc. UAV is carried to the inspection site and not flown. The UAV's will carry no passengers or crew and, therefore, will not expose them to the risks associated with manned aircraft flights. The operation of small UAVs, weighting less than 55 lbs., conducted in the strict conditions outlined above, will provide an improved level of safety supporting the grant of the exemptions requested herein, including exempting the International-Wind, Inc. from the requirements of Part 21 and allowing commercial operations. These lightweight aircraft operate at slow speeds, close to the ground, and in a sterile environment and, as a result, are far safer than conventional operations conducted by humans dangling from ropes.

Reasons Why Granting International-Wind, Inc.'s Request Would Be In The Public Interest

Granting the present Petition will further the public interest by allowing International-Wind, Inc. to safely, efficiently, and economically perform aerial inspection services of power generation facilities, wind turbines, wind turbine blades, wind turbine nacelles and land development. Additionally, use of the International-Wind, Inc. UAV's will increase worker safety by reducing human exposure to rope access work at extreme heights, increase the frequency of power generation inspections being performed thereby increase power plant safety and provide significant benefits to the reduction in costs associated with the maintenance of power generation facilities. Notably, the benefits of the proposed operation of the International-Wind, Inc. UAV will be realized without implicating any privacy issues.





Figures 2 & 3: Photos of Current Rope Access Inspection Techniques



Figures 4: Hypothetical Experience Utilizing DJI Inspire 1 for Inspections

Privacy:

All flights will occur over private or controlled access property with the property owner's prior consent and knowledge. Aerial inspections will be of power generation equipment, production facilities or buildings in remote or uninhabited areas.

Set forth below are pictures of aerial inspections conducted in the day environment, as performed today using humans on ropes. The grant of this exemption request will provide improved safety in day operations.

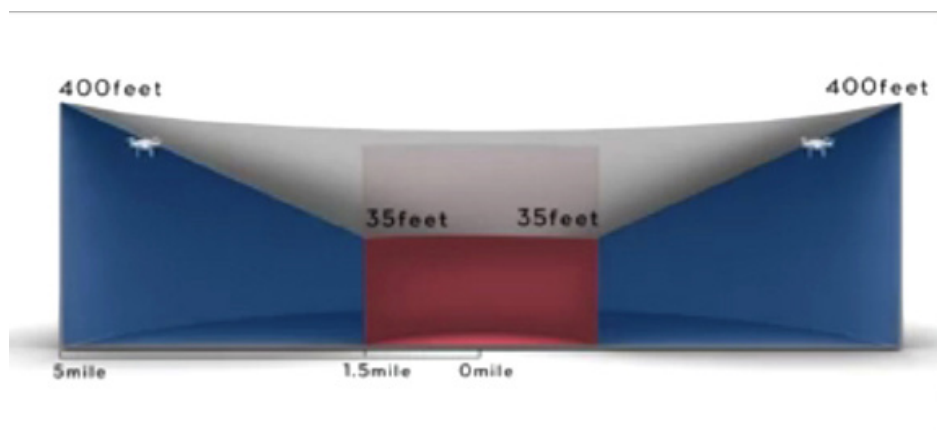
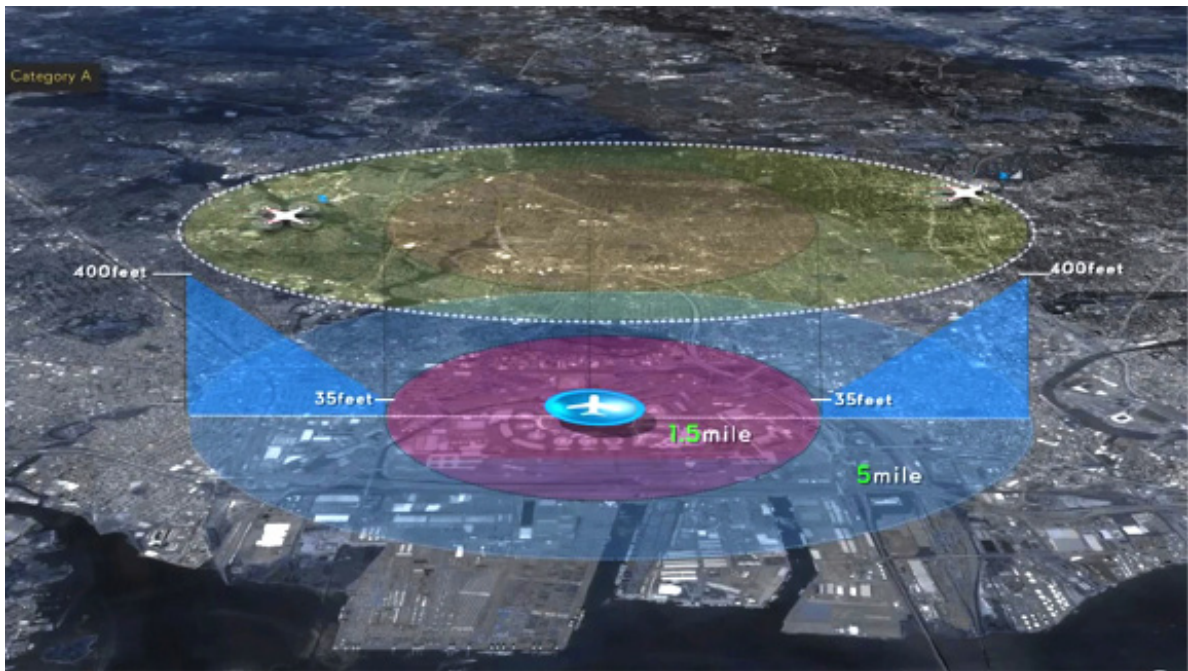
Flight Operations:

Flight Operations pursuant to the exemption sought would be limited to areas that are not in the proximity of airports or over populated areas. International-Wind, Inc. proposes to only conduct aerial inspection flight operations over private land, in rural areas of the United States that are not near populated areas, airports, helipads, or state roads.

Specifically, International-Wind, Inc.' proposed areas of aerial inspections include rural areas that are:

1. Not populated areas as depicted on VFR Sectional Aeronautical Charts;
2. Not within five (5) miles of any airport or helipad;
3. Not within one hundred (100) meters of state roads having more than two lanes; and
4. Not within fifty (50) meters of state roads having two lanes or less.

International-Wind, Inc. has been operating all of its UAV's by regulations such as the ICAO (International Civil Aviation Organization) and the FAA's own national airspace regulations. In order to increase flight safety and prevent accidental flights in restricted areas, all of International-Wind, Inc.' UAV's will be operated utilizing Category "A" No Fly Zone restrictions.



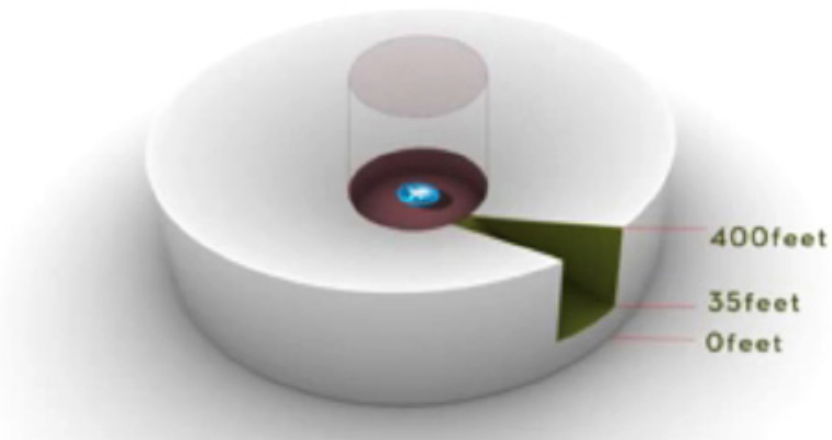
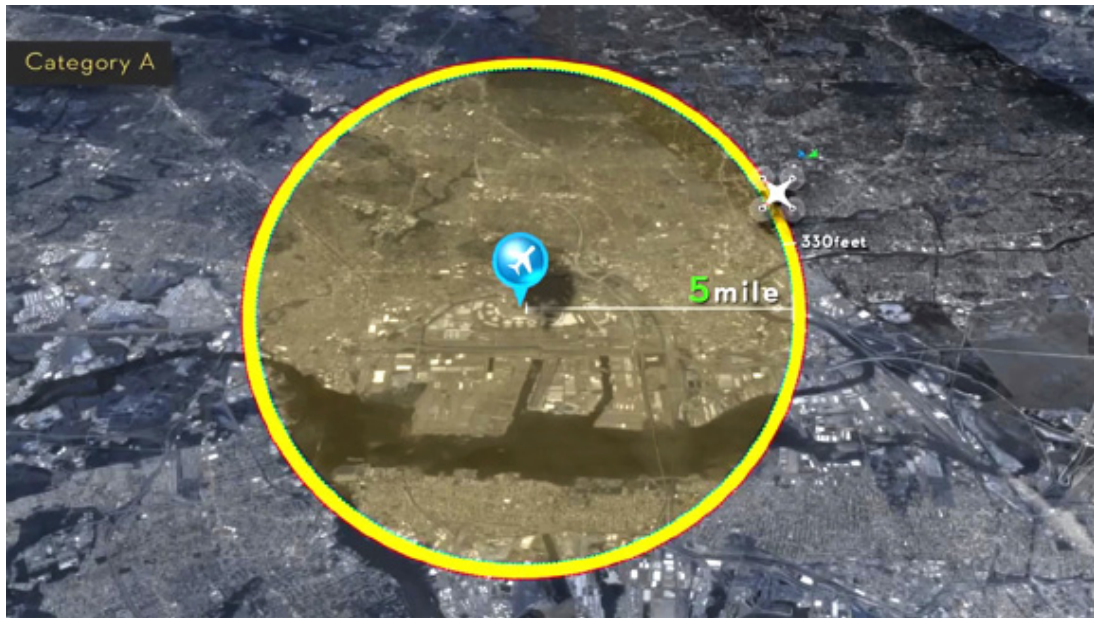


Figure 5 - 8: Example of Category “A” No Fly Zone for International-Wind, Inc.

For more information on DJI flysafe zone settings for the Inspire 1, visit:

<https://youtu.be/YoXAMRQoIAA>

A buffer or exclusion zone for flight operations will also be implemented around state roads. Since the roads are represented geometrically as lines, the buffers result as a one hundred (100m) corridor around state roads with more than two lanes, and fifty (50) meters around state roads with two lanes or less. In summary, International-Wind, Inc. seeks to operate its UAV’s only over rural areas, while maintaining safe distances from any populated areas, airports, helipads, or roadways.

Operation Of International-Wind, Inc.' UAV's Will Be Conducted Pursuant To "IWI-006 UAS Operations Manual (For UAS's under 55 lbs)."

International-Wind, Inc.' Operations Manual IWI-006 will control operation UAV's and will significantly contribute to maintaining the level of safety contemplated by the airworthiness certificate requirements from which International-Wind, Inc. now seeks relief. Pursuant to the Operations Manual and 14 C.F.R. § 43.13, entitled Performance Rules (general), each person performing maintenance, alteration, or preventive maintenance on any of International-Wind, Inc.' UAV's, motors, propellers, hardware, guidance systems or appliances shall use the methods, techniques, and practices prescribed in the current manufacturer's maintenance manual or Instructions for Continued Airworthiness prepared by its manufacturer, or other methods, techniques, and practices acceptable to the Administrator. Each person shall use the tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practices.

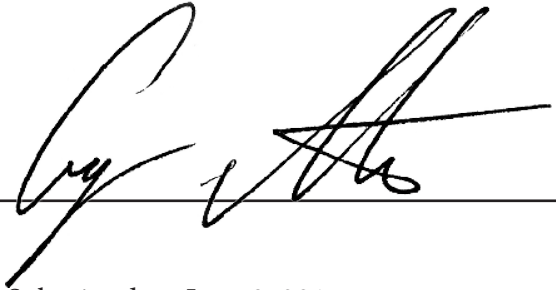
A copy of the Operations Manual, to International-Wind, Inc., is attached hereto as Exhibit B, and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).3

Flight Operations Of International-Wind, Inc.' UAV's Are Limited To Line Of Sight Of The PIC With A Safety Observer.

International-Wind, Inc. will only utilize PIC's with a valid competent trained and experienced Remote Controller Pilot for operation of all UAV's and a Class II Medical Certificate. Additionally, all pilots will be assisted by a safety observer. The pilot in command and safety observer must meet the requirements as set forth by the Operations Manual adopted by International-Wind, Inc. for flight operations of the UAV's.

CONCLUSION:

Satisfaction of the criteria provided in Section 333 of the Reform Act of 2012--size, weight, speed, operating capabilities, proximity to airports and populated areas and operation within visual line of sight and national security – provide more than adequate justification for the grant of the requested exemptions allowing commercial operation of applicant's UAS in the power generation industry pursuant to the Manual appended hereto.



Submitted on June 3, 2015

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