

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.**

IN THE MATTER OF

Petition of Avitas Systems for Section 2210 Exemption

Docket No. FAA-2018-0263

COMMENTS OF THE SMALL UAV COALITION

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The Small UAV Coalition¹ is pleased to provide its comments in support of the petition by Avitas Systems, a GE Venture (“Avitas”), for an exemption to operate the Pulse Aero VAPOR 55 unmanned aircraft system (“UAS”), weighing about 60 pounds, to conduct inspection of oil and gas facilities in the Permian Basin in Texas. This petition seeks authority to conduct these inspections beyond the visual line of sight (BVLOS) of the remote pilot, as authorized by section 2210 of the FAA Extension, Safety, and Security Act of 2016, which authorizes and encourages the FAA to use the section 333 process to authorize BVLOS operations to inspect “covered facilities,” a concept which includes “critical infrastructure,” as defined in 18 U.S.C. 2339D.

Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of UAS in the near term within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes. The Coalition believes that granting this petition to authorize BVLOS operations for critical infrastructure inspections will help to advance this objective.

As Avitas notes, using a drone to conduct inspection of oil and gas facilities will minimize environmental impacts, detect and allow for earlier repair of pipeline or other equipment defects, maintain the security of the infrastructure, reduce the potential exposure of workers to harmful emissions and chemicals, and reduce the oil and gas inspection accident rate. The cogent discussion of the public interest in the Avitas petition – improving worker safety, increased compliance with State and Federal inspection requirements, and significant cost savings concomitant with better services to the public – confirms the judgment by Congress that critical infrastructure by drones should be supported as a matter of urgent public policy.

¹ Members of the Small UAV Coalition include AirMap, AGI, Amazon Prime Air, Flirtey, Fresh Air Educators, Google [x] Project Wing, Intel, Kespry, Paladin Drones, Percepto, PrecisionHawk, T-Mobile, and Verizon Ventures.

Avitas would very likely be able to operate within the parameters of Part 107, needing only a BVLOS waiver, except for the weight of its UAS. Thus, the Coalition supports granting of exemptions from certain sections of Parts 21, 45, 61, and 91 as the FAA has regularly granted such exemptions in previous section 333 petitions.

With respect to Avitas's request for exemption from certain Part 61 requirements, the Coalition believes that obtaining a remote pilot certificate under Part 107 should be sufficient for an operation under section 333. With the adoption of Part 107, the FAA should accept a remote pilot certificate in lieu of a Part 61 airman certificate. Avitas pilots will hold either a remote pilot certificate or a private pilot certificate, in which case it will need an exemption to conduct commercial operations. FAA has routinely granted such exemptions, and should do so here.

Avitas seeks exemption from certain Part 91 requirements, from which FAA has granted many section 333 exemptions. Most of the Part 91 requirements for which Avitas seeks an exemption are not included in Part 107.

Avitas notes that the FAA has not developed standards by which to evaluate requests to operate BVLOS to inspect critical infrastructure under section 2210, but the FAA has developed performance-based standards to evaluate waiver petitions to operate BVLOS under Part 107. The Coalition agrees with Avitas that such standards should be used under the section 2210 authority.

While some of the supporting documents to address the BVLOS performance-based standards is proprietary and not available to the public, the answers Avitas provides discuss safety features and operational measures that address risks and will ensure the safety of BVLOS operation in this rural and remote environment. These operations will be conducted away from people; the facilities to be inspected are fenced-in and gated. Plus, a NOTAM will be issued so that other aircraft that may be in the area will be aware of the Avitas inspections.

Avitas states that its UAS will be equipped with "strategic separation" and "ground-based detection to keep the UA well-clear of any manned or other unmanned aircraft in the vicinity." Avitas also states that it has conducted a safety risk assessment. While further information about these safety features is proprietary, we encourage the FAA to evaluate them and determine the additional safety margin they provide.

The Small UAV Coalitions strongly supports Avitas's petition in consideration of the safety commitments contained in the petition, the operational limitations stated therein, and in the interest of saving lives, time, and money by using drones to inspect critical infrastructure. Accordingly, the Coalition recommends the FAA grant Avitas's petition for exemption to operated BVLOS, as authorized in section 2210.

Respectfully submitted,



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