

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

IN THE MATTER OF

Petition of Benjamin Kroll for Exemption

Docket No. FAA-2020-0044

COMMENTS OF THE SMALL UAV COALITION

Gregory S. Walden
McGuireWoods Consulting, LLC
2001 K Street NW, 4th floor
Washington, DC 20006
Counsel to the Small UAV Coalition

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The Small UAV Coalition¹ is pleased to provide its comments in support of the petition by Benjamin Kroll (“Kroll”) for an exemption pursuant to 49 U.S.C. 44807 to operate the X8 Multirotor UAS with fire suppression system, an unmanned aircraft weighing more than 145 lbs. (without payload), with payload of up to 150 lbs., to assist firefighting in two respects: delivering up to 20 gallons of water at the initial stage of a fire and delivering food and supplies to firemen.

Unmanned aircraft systems (“UAS”) offer a safe and efficient means of conducting a variety of operations, including assisting firefighting. 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 (BVLOS), with varying degrees of autonomy, for commercial and other civil purposes. This includes UAS weighing over 55 lbs. used to combat wildfires. The Coalition believes that granting this petition will help advance this objective.

In section 359 of the FAA Reauthorization Act of 2018, Congress directed the FAA to report to Congress, by April 3, 2019, on the use of UAS in support of firefighting and emergency response. Granting this and similar exemption petitions will enable the FAA to gather data from UAS operators for this required report and any supplemental report.

Kroll’s UAS will operate below 400 feet above ground level (“AGL”) and within Class G airspace in remote and mountainous areas in the State of Colorado.² While the petition does not state explicitly, it implies that these operations will assist the Colorado Division of Fire Prevention and Control. These operations will be able to access a remote area quickly and drop up to 20 gallons of water well before firemen arrive with their equipment.

¹ Members of the Small UAV Coalition are listed at www.smalluavcoalition.org.

² Kroll notes that it is possible that its UAS may fly over persons but this will be only in transit.

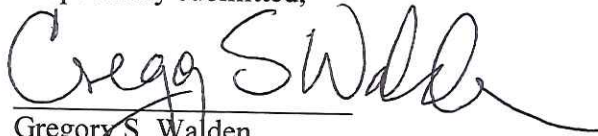
All flights will be within the visual line of sight of the remote pilot,³ who will be assisted by a Visual Observer (“VO”) with whom the remote pilot will be in constant contact. The remote pilot and VO will ensure that any other aircraft will be identified in time for the UAS to give the right of way to the manned aircraft.

Kroll holds a Part 107 remote pilot certificate with sUAS rating. The Coalition believes that holding a remote pilot certificate under Part 107 should be sufficient for an operation under section 44807. With the adoption of Part 107, in which a remote pilot certificate with small UAS rating is accepted in lieu of a Part 61 airman certificate, the FAA should similarly accept that remote pilot certificate, with additional UAS-specific training requirements, for UAS over 55 lbs. The Coalition notes that special training is critical for such fire suppression operations, and that Kroll will ensure that training has been performed.

The Coalition notes that Kroll’s operations could be conducted under Part 107 without requiring any waiver, except for the weight of the UAS. Thus, the Coalition believes that Kroll’s operations can be conducted safely without being required to comply the provisions in Parts 45, 61, and 91.

In sum, the Small UAV Coalition supports Kroll’s petition for exemption, in consideration of the many safety features detailed in its petition and the particular operational environment where its operations will avoid the risk to uninvolved persons and other aircraft. Accordingly, the Coalition requests the FAA grant Kroll’s petition for exemption.

Respectfully submitted,



Gregory S. Walden
McGuffreWoods Consulting, LLC
2001 K Street NW, 4th floor
Washington, DC 20006
202-857-2928
gwalden@mwcllc.com
Counsel to the Small UAV Coalition

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³ Kroll notes that it is possible that some flights may be operated for brief periods of time BVLOS because of terrain but that Kroll and the VO will work together to restore visual line of sight of the UAS.