



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

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

OCT 15 2010

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Mr. Craig L. Fabian
VP Regulatory Affairs and
Assistant General Counsel
121 North Henry Street
Alexandria, VA 22314

Dear Mr. Fabian:

This is a response to your letter of July 9, 2010 regarding the Aeronautical Repair Station Association (ARSA) suggestion that the FAA correct and reissue FAA Notice 8900.88.

In your request, ARSA specifically noted: The regulations require that a repair station, whether foreign or domestic, certify to the Federal Aviation Administration (FAA) in writing that it's hazardous materials (hazmat) employees and contractors or sub-contractors are trained in accordance with Department of Transportation (DOT) Hazardous Material Training Requirements (HMTR) or the most current International Civil Aviation Organization (ICAO) regulation. This written certification is only required when a repair station initially applies for certification, or when it amends it's certificate or changes a rating.

In contrast, Notice 8900.88 requires that all repair stations certificated before November 7, 2005 certify, in writing, compliance with HMTR. The retroactive requirement does not exist in current rules; further, it is not helpful to the agency or the industry.

FAA explanation: Thank you for taking the time to provide a valid suggestion. Your suggestion has merit and value and will require our further review. Notice 8900.88 had an effective date of August 20, 2009 and was cancelled August 20, 2010. The FAA will consider your suggested change in the near future, as we plan revisions to our orders.

Once again, thank you for your suggestion and for assisting us in promoting the continual development of a competent aviation industry worldwide.

Sincerely,

Carol E. Giles
Manager, Aircraft Maintenance Division