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May 14, 2009

Delivered by email; read receipt requested: John.Allen@faa.gov

John Allen
Director
Flight Standards Service (AFS-1)
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591-0004

Re: Limitations on Issuance of Repairman Certificates

Dear Mr. Allen:

The Aeronautical Repair Station Association (ARSA) thanks the Federal Aviation Administration (FAA) for its letters regarding the above referenced subject, the last of which was dated May 2, 2009.

Unfortunately, while the FAA states that it "understands and appreciates" ARSA's position, the agency contradicts its perception by refusing to update its guidance material to ensure its inspectors apply the regulations appropriately.

The language in Volume 5, Chapter 5, Section 4 of the Flight Standards Information Management System can and has been used by FAA inspectors to justify the belief that a repairman certificate is not sufficient and/or cannot be issued to a qualified person working at a repair station. Of specific concern is the implication that a repairman certificate cannot "circumvent" a mechanic certificate.

The bottom line is that 14 CFR § 145.159 specifically states that a repair station may support the application for a repairman certificate whenever an individual needs to hold a part 65 certificate (for supervisors and individuals authorized to approve work for return to service). The agency should issue the repairman certificates based upon the qualifications outlined in 14 CFR § 65.101. For the agency to have guidance material that doesn't clearly delineate those facts is not acceptable to ARSA, nor should it be tolerated by the agency.

To that end, the association carefully reviewed and updated the guidance to take into account the agency's concern that a mechanic's certificate is distinguished from a repairman's certificate. It also incorporated requirements of current laws in the guidance (confirmation that persons applying for certificates had not been convicted of federal crimes associated with aviation and space parts) and corrected other information in the section as needed to ensure compliance with the applicable regulations.

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After over 20 years of communication, the agency should know that the association does not ask for clarification, correction or updating of material and information unless it is necessary in the interest of safety or to ensure proper administration of the government and industry's duties and responsibilities.

ARSA again submits proposed changes to the guidance material contained in the Flight Standards Information Management System for FAA's consideration. We have provided our recommended changes as a separate attachment in Microsoft Word format that clearly tracks the needed changes and clarifications.

Please let us know if you have any questions or desire additional information. Indeed, I urge the FAA to contact me to ensure that any future written communication truly addresses the issues that need resolution.

Your Servant,

A handwritten signature in blue ink, appearing to read "Sarah MacLeod". The signature is fluid and cursive, with a large loop at the end.

Sarah MacLeod
Executive Director

Attachment Microsoft Word "tracked changes" suggested changes to Volume 5,
Chapter 5, Section 4 "Certificate Title 14 CFR Part 65 Repairman/Added
Privileges

cc: Carol Giles (AFS-300)
Steve Douglas (AFS-301)
Daniel Bachelder (AFS-301)