Aeronautical Repair Station Association

the hotline

October 31, 2004 Washington, D.C. www.arsa.org

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Highlights

President's Message

By Gary H. Garvens

Looking Back, Looking Ahead

ARSA has come a long way since January. The annual Directors meeting has just concluded, and it's a good occasion to review with you some of what we've accomplished this year and our plans for next year.

During 2004, membership doubled to over 700 members, with 25 outside the U.S. The first *Strategic Leadership Conference* was held and attended by the newly-formed President's Committee, a group of executives acting as champions for the Association.

We established the very popular *Legislative Day* that initiates members in the workings of Congress. Members began a grassroots lobbying effort coordinating ARSA's Washington activities and member involvement in local fundraisers.

The Association led a broad industry coalition that filed Joint Industry Comments opposing the FAA's drug and alcohol testing requirements to all tiers of maintenance providers resulting from a contract with an air carrier.

We established an industry committee comprised of a cross-section of the aviation maintenance industry. It provided comments on Instructions for Continued Airworthiness (ICA). This is part of ARSA's campaign to get the FAA to enforce its ICA rules, to make certain that manufacturers of aircraft and their components ensure that CMMs are made available to maintenance personnel in the same manner as the manuals for the aircraft, engines and propellers.

ARSA's *Train to Gain* program is providing tools to help repair stations generate a training program manual that meets the standards for FAA approval. Sales of the Model Training Program workbook and manual are brisk, and the six courses scheduled for the last quarter of 2004 are filling fast.

The Association is evaluating the viability of offering product and completed operations liability insurance. Our expanded *hotline* includes interviews of new members, answers to members' questions, and even a humor column, in addition to our coverage of compliance issues and rules proposed and adopted.

Our plans for 2005 include a compendium of all previous Legal Briefs columns; a member online forum; development of an economic model of the maintenance industry, based on actual member data, and additional training classes.

Your ARSA membership makes these products, services and initiatives possible. Your Board and staff offer a sincere Thank You for your support, and our best wishes for a happy Thanksgiving season and a safe and productive New Year.

ARSA President and Director Gary H. Garvens is president of Engine Components, Inc. in San Antonio, Texas.

Legal Briefs

The New World of Contracting: Clarifying Applicable Policies

By Marshall S. Filler, ARSA Managing Director & General Counsel

The FAA expects air carriers to identify the applicable portions of their maintenance manual that apply to work performed by their contractors.

In this, the second of our series on maintenance contracting, we will explore air carrier maintenance programs and maintenance manuals, the two elements that provide the regulatory standard for complying with section 145.205. We will also describe the FAA's expectations regarding the air carrier's responsibility for flowing down information to its maintenance contractors.

Historically, contracts (including General Terms Agreements, purchase orders and similar documents) between air carriers and maintenance providers have received little attention from government regulators and industry representatives. Indeed, this observation is valid for the aviation industry in general where regulatory compliance is often taken for granted in commercial contracts.

Similarly, aviation safety inspectors have received little written guidance and training on how to evaluate maintenance contracts. Instead, the agency has focused on those programs required by Part 121, subpart L, which are contained in the air carrier's General Maintenance Manual (GMM). In many cases, however, operators have not adequately identified which of their policies and procedures apply in a particular maintenance contracting situation. As a result, repair stations have had to determine which of their own FAA-accepted or approved policies and procedures are acceptable to their customers. Sometimes, they make a decision that is not supported by the customer's requirements.

Few would dispute the notion that contracts between operators and their maintenance providers are an important element in ensuring regulatory compliance. Although some contracts address regulatory issues in the broadest sense, such as a requirement to perform maintenance in accordance with a particular technical specification, few cover all of the regulatory issues.

There are signs that things are starting to change. The FAA has included a section on the importance of maintenance contracts in Order 8300.10 (Volume 2, chapter 69).

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Legal Briefs continued

This section has also been incorporated by reference in Notice 8300.115, the document that describes the special emphasis surveillance program currently underway on contracting issues. Although it is not as robust as the contracting guidance issued by the Joint Aviation Authorities (JAA) and the European Aviation Safety Agency (EASA), it is a step in the right direction.

Air carrier maintenance programs and maintenance manuals

We mentioned the applicable regulations last month, but it bears repeating that an air carrier is primarily responsible for the airworthiness and maintenance of its aircraft and related components. The air carrier is also required to perform maintenance in accordance with its Continuous Airworthiness Maintenance Program (CAMP) and its FAA-accepted maintenance manual. This applies whether the work is performed in house or contracted out. Indeed, the FAA considers the vendor to be an extension of the air carrier's maintenance organization. Part 145 mirrors Part 121 by requiring that work performed on behalf of an air carrier must be performed in accordance with the carrier's maintenance program *and* "the applicable portions" of the carrier's manual.

Many people think that an air carrier's maintenance program contains only the time intervals for performing maintenance and inspections of airframes, engines, propellers, appliances and emergency equipment. Certainly, this is part of the air carrier's maintenance program, but is it the entire program? Not according to Advisory Circular (AC) 120-16D, Air Carrier Maintenance Programs (March 2003). The AC combined with pertinent portions of Order 8300.10, provides information to the public (and additional guidance to FAA inspectors) on the critical regulatory interface issues.

According to AC 120-16D, an air carrier's maintenance program contains the following nine elements, each of which are addressed separately in the AC:

- Airworthiness responsibility
- Maintenance manual
- Maintenance organization
- Maintenance schedule
- Maintenance recordkeeping system
- Accomplishment and approval of maintenance and alterations
- Contract maintenance
- Continuing analysis and surveillance
- Personnel training

Certainly, this is a very broad definition of the term "maintenance program." It is also redundant. If the carrier's maintenance manual is part of its maintenance program, why does section 145.205 provide that work must be performed in accordance with the carrier's maintenance program *and* its maintenance manual? We won't get bogged down in these inconsistencies except to point out that if you asked ten knowledgeable people to define the term "maintenance program," you would undoubtedly get several different answers. So, now that we know how the FAA defines the term, we can move on to the more important issues.

In last month's article, we described the specific items that must be included in the maintenance manual under sections 121.135 and 121.369. In AC 120-16D, the FAA describes the major sections of the air carrier's maintenance manual as follows:

- Administrative policies and procedures
- Detailed instructions for the administration, management and accomplishment of the maintenance program
- Technical manuals that describe maintenance standards, methods, techniques and procedures
- Work cards

Some air carriers have done a good job in communicating the basic work instructions that must be followed by the contractor when performing maintenance and alterations.

The most difficult questions arise when the proposed action is authorized under the repair station's own policies and procedures, but may be contrary to the air carrier's maintenance manual or the customer's documentation is silent on an issue.

This is particularly true for substantial maintenance providers accomplishing heavy maintenance on a complete aircraft. The parties do not, however, have as clear an understanding of the applicable requirements in the administrative and quasi-technical areas. These include, but are not limited to, handling deviations from the work instructions, substitution of parts, making equivalence determinations of tools and equipment, subcontracting (including the approved vendor list, drug and alcohol compliance and the use of individually certificated personnel not employed by the maintenance contractor).

So, when should a repair station obtain the air carrier's "approval" before taking a particular action? Indeed, the most difficult questions arise when the proposed action is authorized under the repair station's own policies and procedures, but may be contrary to the air carrier's maintenance manual or the customer's documentation is silent on an issue.

How does the repair station know the pertinent limitations for each customer? This can certainly be facilitated by a contract, such as a General Terms Agreement. A purchase order is usually adequate for providing technical "how-to" instructions for performing maintenance, but it is inadequate for addressing policy and procedural issues.

Such information can also be communicated by providing the maintenance vendor with a copy of the air carrier's GMM. However, this assumes that the air carrier has a written policy on all the pertinent contracting issues. Even if they do (and most do not), providing a repair station with a complete copy of the air carrier's GMM along with instructions to follow it in its entirety puts an undue burden on the repair station. Understandably, repair stations have been reluctant to push their customers to clarify the requirements for fear that the carriers will take their business elsewhere.

Continuing Analysis and Surveillance (CAS)

An air carrier evaluates the effectiveness of its maintenance and inspection programs, including the work performed by its contractors, through its CAS program. This is accomplished by auditing both in-house and contracted maintenance functions; collecting operational data and performing trend analyses (see AC 120-79). For established carriers, the data collection and analysis functions are usually accomplished under an FAA-approved reliability program, but they are required under the CAS program in any event. The auditing function is performed either by the air carrier, the Coordinating Agency for Supplier Evaluation (CASE), or both.

Although the CAS program is one of the most important requirements of Part 121, CASE is not structured to audit any specific air carrier-repair station relationship. Its focus has always been on those issues of general applicability. The FAA has been willing to allow the CASE system to exist because of the practical difficulties and duplicative resources that would be required if all component repair stations had to be audited by each of their air carrier customers. Nevertheless, some of our component repair station members have reported that they have experienced as many as 60 audits in a year (primarily from customers that do not belong to CASE) even though they do not perform substantial maintenance.

Legal Briefs continued

There is no disputing the importance of the CAS program in ensuring that the air carrier's maintenance and inspection programs are being followed, that they are effective and that all deficiencies noted are satisfactorily addressed. Nevertheless, CAS is an "after the fact" evaluation program; our focus is on ensuring that there is a clear understanding of the applicable policies before maintenance is performed.

Maintenance manual flowdown: the FAA's expectations

The FAA expects air carriers to identify the applicable portions of their maintenance manual that apply to work performed by their contractors. AC 120-16D states as follows:

> …[the air carrier] must also provide the maintenance provider with the **appropriate material** from your maintenance manual for that work. Your manual system should accommodate work performed for you by maintenance providers. The policy and procedures section of your manual should assign responsibilities and delineate procedures to administer, control and direct contracted work. The technical material that you provide should be arranged for the use and guidance of the maintenance provider (emphasis added).

In a later section, the AC states that the maintenance provider must have "**relevant** and current technical and administrative material from your manual for the work" (emphasis added). In Order 8300.10, Volume 2, Chapter 69, the FAA states as follows:

> Under part 121, section 121.367 and part 135, section 135.425, the air carrier must have a system in place that ensures the maintenance provider will perform work IAW the carrier's manual and CAMP. That means the **information necessary to ensure compliance** with the program is made available to the maintenance provider and the maintenance provider follows the information provided (emphasis added).

The nature and extent of the material required will, of course, vary depending on the type of maintenance being performed. Certainly, a repair station overhauling accessories does not need an entire GMM for each customer. Similarly, providing the entire GMM without identifying the portions that apply is not particularly helpful, even if the contractor performs substantial maintenance. In subsequent articles, we will offer some suggestions for ensuring that the appropriate information is provided and followed.

Other operators

Consistent with its statutory duty to ensure that air carriers conduct their operations with the highest degree of safety, the FAA applies a stricter compliance standard for Part 121 and Part 135 operators than it does for other operators. Nevertheless, a closer look at section 145.205 reveals that maintenance providers must follow the FAA-approved inspection program of a Part 125 operator as well as the FAA-approved maintenance program of a section 129.14 operator (a foreign air carrier operating U.S.-registered aircraft). Therefore, the maintenance provider must still follow these operators' manuals because they are part of their FAA-approved inspection or maintenance programs.

How about fractional operators governed by Part 91, subpart K? They are not referenced in section 145.205 yet many have their own inspection or CAMP programs and are obligated under sections 91.1109 and 91.1427, respectively, to follow them.

Therefore, a fractional operator that contracts maintenance must also ensure that its maintenance programs, policies and procedures are followed. Indeed, the absence of a specific reference to Part 91, subpart K in section 145.205 would provide little solace to a repair station that failed to follow a fractional operator's procedures, particularly if the FAA brought an enforcement action against the operator for an act or omission committed by the repair station.

In the next issue of *the hotline*, we will offer a model assessment program that air carriers and other operators can use to determine how they will control maintenance performed on their behalf by different types of maintenance providers. It will focus on those issues that have not typically been identified and clarified when the air carrier-repair station relationship is initially established.

Model Training Program Courses and Sponsors

Beginning April 6, 2005, each certificated repair station must submit a training program to the FAA for approval by the last day of the month in which the repair station certificate was issued.

ARSA's **Model Training Program Workbook with Manual Template** and *IA approved* **Model Training Program Course** will help you gain the knowledge necessary to generate a training program manual that meets the standards for approval.

The Association thanks members who are sponsoring training courses.

Current Training Schedule

November 8, 2004: Seattle, WA

Soundair Repair Group
Snohomish School District No. 201
1601 Avenue D
Snohomish, WA 98290

November 10, 2004: Los Angeles, CA

Radisson Hotel at Los Angeles Airport
6225 West Century Blvd.
Los Angeles, CA 90045-5311

December 8, 2004: Miami, FL

Avborne Heavy Maintenance
Miami International Airport
5300 N.W. 36th St.
Miami, FL 33152-2606

December 10, 2004: Atlanta, GA

Delta Airlines
OC3 Building, Room 4030
980 Virginia Ave
Atlanta, GA 30354

January 11, 2005: Dallas, TX

Texas Pneumatic Systems, Inc.2404 Superior Drive
Arlington, TX 76013-6015

January 13, 2005: Wichita, KS

B&S Aircraft, Aero Mach, and Advanced Industries
Hotel at Old Town, 210 N. Mosley
Wichita, KS 67202

Your registration and payment are due by 8:00 a.m. ET on the business day before the dates listed above.

Please bring your Workbook to class; no copies will be provided in class.

The Workbook is available for purchase separately from the course.

Use this link to obtain more details, lodging information, and to register and purchase the Workbook.

Regulatory Lookout

8130 Completion Changes Again

The FAA's new Order 8130.21D includes several changes to completing an Airworthiness Approval Tag.

The FAA recently issued the D update to Order 8130.21. This document establishes the preferred method of completing an Airworthiness Approval Tag (Form 8130-3). The form is used to document conformity inspections, airworthiness approval of new products and parts, approval for return to service of products and parts and export airworthiness approval of Class I and II products. The update contains a significant number of changes.

Losing an 8130-3

Only authorized persons may reissue a lost or misplaced 8130-3. The Order indicates that this may entail verification that the product, part or appliance status has not been compromised since its original issuance. It could encompass a visual inspection for damage and, of course, confirmation that an original 8130-3 was issued. Including the above, export approvals have to meet additional requirements. Users must inform the original issuer, in writing, that the form was lost. They also need to offer evidence of the previous export.

If the reissuer believes that the subject of the Form 8130-3 has changed, they could require an inspection or testing before a replacement form is issued. After the necessary formalities are concluded, a file copy of the original form should be provided. If unavailable, a new form will be issued and it must display the words "THIS FORM 8130-3 REPLACES THE LOST FORM 8130-3 DATED [enter original issuance date]." This language should appear in Block 13 in capital letters, along with other pertinent information to be entered into either Block 18 or 23. The replacement form must have the same data as the lost form, and include an original signature.

ARSA is concerned that this potential requirement for a visual inspection is not required by the regulations. The 8130-3 is only valid as of the date of the original signature, no matter what may have transpired with the article after delivery. The requirement to perform a visual inspection would necessitate the issuance of another maintenance release document for those complying with section 43.9 of the FARs.

Correcting an 8130-3

The Form 8130-3 may be reissued to correct inaccuracies on the original. However, the end user is required to supply the original issuer with a written statement and a copy of the incorrect form. After the errors are verified, an amended form may be provided. The words "THIS FORM 8130-3 REPLACES FORM 8130-3 DATED [enter original issuance date]" must appear in block 13 in capital letters. The new form must also have an original signature. The Order is unclear about which date should appear on the revised form.

ARSA believes that the new issuance date should be used because the language in block 13 would limit the approval for return to service liability. ARSA will update members once the FAA clarifies this issue in writing.

Approval for return to service and Block 13

This Order makes some revisions to the materials for inclusion in block 13 regarding approval for return to service. The document states that it is mandatory that the block contains all information required by Part 43.9.

Work orders, FAA Form 337s or other documents that certificate holders use to comply with Part 43.9 or Part 43.11 must be specifically referenced. The supporting documentation is essential for making a final airworthiness determination.

Examples of information to be supplied include: the identity of maintenance documentation used as the approved standard (with the revision status and date), compliance with airworthiness directives or service bulletins, life-limited parts history and deviations from the customer's work order.

Dual release statements

Members have questioned which box should be checked in block 19, relating to approval for return to service. Both boxes should be checked if work was completed in accordance with U.S. standards and those of another civil aviation authority. If the "other regulations specified in block 13" box is selected, the regulations of the other civil aviation authority must be identified in block 13.

The words to include in block 13 have also been an area of contention. ARSA Legislative Counsel Christian Klein contacted EASA regarding a wording discrepancy in the Order and the EASA guidance material. The "correct" language is that requested by EASA. For a discussion of the proper wording, please refer to Christian's article.

DARs, production approval holders and traceability

This change concerns domestic airworthiness approval at accredited distributor facilities. The Order states that DARs with function code 08 or function code 23 privileges may issue the 8130-3.

DARs are required to establish positive traceability to a production approval holder (PAH). The form recognizes that the trace can come from either acceptable documentation or part markings. This clarifies terminology from the past Order that seemed to suggest that both part marking and documentation was needed before issuance of the 8130-3.

Block 13 must have the words "FOR DOMESTIC SHIPMENTS ONLY" in capital letters. The block must also include the PAH's name, certificate or project number and address. It is apparent that there might be some uncertainty over what constitutes the proper number. The previous Order did not require this PAH information.

Bilateral language

Several bilateral aviation safety agreement implementation procedures with European countries require additional assurances for acceptance of U.S. parts manufacturer approval (PMA) parts.

A PMA part will generally be accepted if it is not a critical part, the PMA holder has STC design approval that incorporates the part or if the part is produced under a licensing agreement. For exports of PMA parts, the exporter should enter the following words in block 13: "This PMA part is not a critical component" or "Produced under a licensing agreement from the holder [insert "TC" or "STC"]."

Miscellaneous changes

The following changes might also interest you. The Order revises use of the word "Export." In block 12, it may now be used to identify the sole function of exporting a Class II or III product. Also, new forms may be issued when products, parts and appliances are returned to original issuers (PAH, PAH suppliers or PAH-associated facilities). Overstock, wrong model or retesting should be the reason for the return.

Finally, the general procedures section that explains how to complete and use the form has been moved to paragraph 8.

More in upcoming issues

We are still reviewing this Order in detail and will be commenting on it in upcoming issues of the hotline. The Association also plans on discussing these changes with the FAA. We will keep you posted on the developments.

A member asked...

Where in the CFRs, or is it in an Order, does it state that I have to approve my suppliers that I purchase airworthiness spare parts from (as removed parts for overhaul, rivets, spare parts)?

We answered:

If the purchase is for goods (parts) only (not *maintenance* services), there is no direct regulatory requirement in Part 145 to "approve" the parts supplier. Now, of course, if you have written a manual under Part 145 that makes it a requirement, you have follow your manual (see, 145.207(a) and 145.211(b)).

Sarah MacLeod, ARSA Executive Director

Recently Published Documents

This list includes Federal Register (FR) publications such as final rules, Advisory Circulars (ACs), policy statements and related material of interest to ARSA members. For proposals opened for public comment, see **Your Two Cents** in this issue.

Cabin safety changes

10/27/04 FAA-2004-19412 http://www.arsa.org/hotline/103104/FAA-2004-19412.htm

The FAA amended the airworthiness standards for transport category airplanes relating to flight attendant assist spaces and handles, door hold-open features, outside viewing means, interior compartment doors and portable oxygen equipment. These changes resulted in new type design regulations and retrofit requirements.

Contact Jeff Gardlin <jeff.gardlin@faa.gov>, FAA Airframe and Cabin Safety Branch (ANM-115), 425 227 2136.

SFAR 88 compliance

10/14/04 PSN ANM112-05-001 http://www.arsa.org/hotline/103104/PSN ANM112-05-001.pdf

This policy notice provides guidance on complying with Special Federal Aviation Regulation Number 88. It affects certain holders of type certificates and supplemental type certificates for large transport airplanes. This policy was developed in association with EASA and relates to the development of instructions for maintenance and inspection of fuel tank systems.

Contact Michael Collins <michael.collins@faa.gov>, FAA Transport Airplane Directorate (ANM-112), 425 227 2689.

Airworthiness Inspector's Handbook: new and revised portions

8/27/04 8300.10 Change 20 http://www.arsa.org/library/AWIH-CHG20consoldtd.pdf

This change covers new and revised portions of the handbook. Significant areas of change include:

a. Volume 1, Chapter 10, *Inspector Ethics and Conduct* - Incorporates professionalism definition and standards

b. Volume 2, Chapter 74, *Evaluate Part 121/135 (10 or More and Turbine-Powered Aircraft) Operator's Weight and Balance Control Program* - rewritten.

c. Volume 2, Chapter 80, *Evaluate a Certificate Holder's Short-Term Escalation Procedures* - rewritten.

d. Volume 3, New Chapter 10, *Conducting Records Reviews and Aircraft Inspections Mandated by the Aging Aircraft Rules* - Incorporates N 8300.113, *Conducting Records Reviews and Aircraft Inspections Mandated by the Aging Aircraft Rules,* dated 11/25/03.

Contact David Cann <dave.cann@faa.gov>, FAA Aircraft Maintenance Division (AFS-300) 202 267 3546.

Airworthiness compliance checklists

10/19/04 AC 23-21 http://www.arsa.org/hotline/103104/AC23-21.pdf

This AC provides guidance on creating airworthiness compliance checklists that can be used when making major alterations to small airplanes. The checklists identify the data requirements and the approval methods for many major alterations. The lists also identify supporting documentation that could be employed for approval for return to service after aircraft alteration. They are limited to "major" alterations and not alterations that require a Supplemental Type Certificate (STC).

Contact David Showers <david.r.showers@faa.gov>, FAA Standards Office, 816 329 4110.

Redesigned parts for reciprocating engines

10/14/04 AC 33.19-1 http://www.arsa.org/hotline/103104/AC33-19-1.pdf

This AC provides guidance in demonstrating that redesigned parts for reciprocating engines comply with 33.19. It addresses major type design changes, parts manufacturing approvals (PMA) and supplemental type certificates (STC) for drive system or structural parts in reciprocating engines.

Contact Mark Rumizen <Mark.Rumizen@faa.gov>, Engine and Propeller Standards (ANE-110), 781 238 7113.

Electronic displays in Part 23 airplanes

10/19/04 AC 23-23 http://www.arsa.org/hotline/103104/AC23-23.pdf

This AC acknowledges the General Aviation Manufacturers Association (GAMA) Publication #12, *Recommended Practices and Guidelines for an Integrated Flightdeck/Cockpit in a 14 CFR Part 23 (or equivalent) Certificated Airplane.* Use of the GAMA document is an acceptable means of showing compliance with the requirements for electronic displays in Part 23 airplanes.

Contact Lowell Foster <lowell.foster@faa.gov>, FAA Standards Office (ACE-111), 816 329 4125.

Rotor strength requirements

10/14/04 AC 33.27-1 http://www.arsa.org/hotline/103104/AC33-27-1.pdf

This AC concerns compliance with the rotor strength (overspeed) requirements of Part 33.27. Applicants must test the most critical stage of each rotor module at the most critical speed and maximum operating temperature.

Timoleon Mouzakis <timoleon.mouzakis@faa.gov>, Engine and Propeller Standards (ANE-110), 781 238 7114.

Flutter substantiation

10/14/04 AC 23.629-1B http://www.arsa.org/hotline/103104/AC 23.629-1B.htm

This AC concerns Part 23.629, flutter including divergence and control reversal. The complexity of flutter analysis has prompted endeavors to find simplified methods of flutter substantiation. The AC provides guidance, including permitting the use of test data comparisons instead of new analysis and flutter tests.

Contact Mark James <mark.james@faa.gov>, FAA Small Airplane Directorate, 816 329 4137.

It'll cost ya

10/4/04 Docket 27854 Amendment 13-32 http://www.arsa.org/hotline/103104/Docket 27854.htm

This final rule concerns FAA procedures for civil penalty assessments. The FAA measures pertain to individuals acting as a pilot, flight engineer, mechanic or repairman. It was implemented because the current rules do not address the procedural differences of review in a different forum.

Contact Joyce Redos <joyce.redos@faa.gov>, FAA Enforcement Division (AGC-300) 202 267 3137.

Light sport repairman training

9/30/04 HBAW 04-08 http://www.arsa.org/hotline/103104/HBAW0408.doc

This handbook bulletin informs inspectors how to issue repairman certificates for light-sport aircraft.

Contact William O'Brien <william.o'brien@faa.gov>, Aircraft Maintenance Division (AFS-305), 202 267 3796.

Geared up: Special thanks to Messier Services America for hosting the ARSA staff on a recent tour of their repair station in Sterling, Va. L-R: Benn Kobb (*hotline*), Crystal Thayer (training), Keith Mendenhall (member services), Christian Klein (legislative counsel), Christopher Durocher (associate counsel), John Dyce (IT).

Quality Time

Certification Process Study, Part II: Management of Safety Information

By Tejbir Singh, ARSA Associate Counsel

The CPS team aims to create an Aviation Safety Information Council and develop a Safety Information Sharing Environment. Implementation of their recommendations could lead to a better informed aviation industry.

Last month, ARSA introduced readers to the Commercial Airplane Certification Process Study (CPS). We listed the CPS team's top ten recommendations so that readers could understand the group's goals. Our articles will discuss the proposals in greater detail and examine the solutions presented to the FAA for consideration, which in some cases have already been achieved.

This month's focus is on safety information management. We will take a look at the recommendations of creating an Aviation Safety Information Council (ASIC) and developing a Safety Information Sharing Environment (SISE).

Purpose of the Aviation Safety Information Council (ASIC)

The CPS team envisioned creating an ASIC to integrate management of the loose disconnected network of government and industry data systems. These systems, collectively the safety information environment, include all materials the FAA or industry currently uses to measure aviation safety for transport category airplanes.

The team's method strives for better management of information by encouraging coordination among myriad agencies and organizations. The process would involve formation of a broadly representative group to review information flow across the safety system. It would provide focused support to improve the capture and use of safety information. The safety data that we currently receive is sufficient; the team is simply going to ensure that information is processed in a more efficient and effective manner.

A primary mission of the ASIC would be to synchronize many of the existing sources of data into a format that would be easily accessible to the appropriate organizations. The CPS team also emphasized the importance of capturing and adequately recording data at its source. The goal is to allow easy access to vital data in a timely manner. Breaking down organizational boundaries will enhance safety. Ultimately, it will lead to better management of risk.

Organization of the ASIC

The ASIC would be comprised of members of the FAA and the aviation industry. The Council would be required to coordinate with groups that manage aviation safety data, including the AFS Safety Management Focus Group and the Commercial Aviation Safety Team.

Initially, many members of the CPS team would participate in the council. However, the success of the ASIC depends on community involvement. Continued and active participation by industry members outside the CPS team would increase its effectiveness.

The council will likely consist of two managerial teams with numerous sub-teams. The steering team would supply executive oversight and guidance to the working group. It would focus on supervisory issues, including confirming that performance measures showed consistent long-term improvement. Meeting on a more frequent basis, the working team would answer directly to the steering group. It would concentrate on monitoring the efficiency of the safety information environment.

Additionally, several sub-teams would be created to address various safety concerns. The National FAA and Industry Maintenance Error Management Oversight (MEMO) Subteam would lead and coordinate the activities of all of the maintenance human factors error management systems. It could review OEM production issues, problems discussed in the Aviation Safety Reporting System and information from other sources.

An Aviation Safety Information Sharing Subteam (ASIST) would be comprised of several organizations that share safety data with each other. Summaries and documentation of "lessons learned" from serious accidents would be the responsibility of an Accident Review Subteam. Its efforts and research could lead to a decrease in incidents.

The CPS team recognized that managing safety information flows throughout the industry, even if limited to transport-category airplanes, would be difficult. It established the following steps to help meet the stated objective.

The ASIC would assess the effectiveness of current information flows. The results would determine whether the ASIC improved processes, tools, controls, or took some other action that it deemed necessary. The council would also bolster the FAA's efforts to ensure that there was adequate oversight in the FAA-sponsored safety data programs.

Surveys and end user assessments would aid in this endeavor. These evaluations would provide vital feedback on the functioning and efficiency of the safety information environment. Finally, the ASIC would analyze safety incident trends.

Safety Information Sharing Environment (SISE): What it is and who controls it

The CPS team hopes that, along with the ASIC, a Safety Information Sharing Environment can be created. The plan for the SISE is to reduce barriers among participants in aviation safety activities. A shared environment would permit users to draw upon the entire industry's safety data.

The team has already developed the initial organization and proposed structure of the SISE. Neither the government nor any industry organization would own the SISE. It would be operated as a joint organizational venture. Potential contributors would include repair stations, operators, OEMs, the FAA and other entities involved in aviation safety. Ideally, international organizations such as EASA will be drawn in. The theory is that the larger the circle of information suppliers, the greater the benefit for everyone involved.

The CPS team recommends that ASIC would become the SISE lead entity for the FAA. Industry groups, such as the Air Transport Association, Regional Airline Association, Aerospace Industries Association and ARSA would represent the interests of the aviation industry.

Computer programs and technologies would be used to allow members to share safety information with each other. This particular type of environment would be extremely valuable. Members could analyze data from a larger group of combined sources. An organization would decide for itself the level of data to contribute. Its safety information would also be protected from unwanted scrutiny since all participants would be permitted to de-identify or anonymously submit their safety information. The level of contributions will ultimately define the scope of the system.

Developing the SISE

The CPS team's immediate goal was to develop a SISE beta program. This would be useful in demonstrating the organization's concepts and advantages. Participants would illustrate the benefits of SISE by highlighting the differences in shared and non-shared analysis. The goal is for a minimum of three operators to participate in the beta program, including an OEM, a regulatory office and a major air carrier.

If it is unable to garner enough interest for the beta program, the team recommended that there be a push for the FAA to fund and develop a trial for the government's internal use. This could utilize the FAA databases and should allow the agency to better analyze and review safety information. The logical next step after a successful testing phase would be to expand SISE to encompass more organizations.

The SISE also recommends establishing the ASIST. Its role would be to move the program from beta testing to production. ASIST could also function as a membership-controlled means for the organization's self-governance. It would be useful in providing operation policies and procedures, membership requirements and criteria, financial strategies and business plans.

Conclusion

Implementation of these recommendations could lead to a more responsible and informed aviation industry. However, from concept to reality is going to be a long and winding road. The FAA has taken steps which allow more information to be given and shared without retribution. This currently only applies to voluntarily supplied information, not shared information.

Therefore, legal hurdles must be overcome to ensure the validity and confidentiality of information being supplied to a safety system. The amount and type of information to be gathered and analyzed must also be definitively determined. It's not an easy job considering the problems associated with changing the rules on service difficulty reporting requirements.

In the end, looking at the vast amount of safety information from a broader perspective - along with making the material readily accessible in a shared environment - would certainly benefit all concerned parties.

NTSB Cites Maintenance, Pilot Error, Design in Latest Accident Findings

In October the National Transportation Safety Board issued two reports that implicate maintenance, design, pilot behavior and training among the contributors to two aviation accidents.

Report NTSB/AAR-04/03 concerns the July 13, 2003 flight of Air Sunshine 527, a Cessna 402C. The Part 135 flight took off from Ft. Lauderdale, FL and was ditched in the Atlantic Ocean near Treasure Cay, Great Abaco Island, Bahamas, following the in-flight failure of the right engine. Seven of the nine passengers survived.

The FAA's oversight of Air Sunshine was in accordance with standard guidelines, NTSB said, but was insufficient to detect inadequate maintenance record-keeping and practices at the carrier. Because of insufficient torque performed during undocumented maintenance, engine cylinder hold-down nuts became loose and backed off of the studs, which resulted in the remaining studs and through bolts fracturing in high-stress fatigue, allowing the cylinder to separate from the engine.

NTSB cited several problems with the pilot, including a history of below-average proficiency, contributing to his inability to maintain flight performance after the engine failed; failure to wear a shoulder harness which subjected the pilot to injury; and failure to conduct an emergency briefing as required by the carrier's procedures.

The Board recommended that the FAA issue a bulletin to principal operations inspectors of Part 135 single-pilot operators that carry passengers and operate over water which familiarizes them with this accident and emphasizes the need for timely emergency briefings. Additional recommendations are forthcoming.

Sensitive rudder pedals, unnecessary turbulence corrections

Separately, report NTSB/AAR-04/04 addressed the second worst accident in aviation history, the November 12, 2001 crash of an Airbus A300-605R, American Airlines 587, shortly after takeoff from JFK. The airplane's vertical stabilizer, rudder and engines separated in flight.

After encountering wake turbulence from the previously departing flight, aggressive and unnecessary control inputs by Flight 587's first officer exposed the rudder to loads beyond its designed and certificated limits. The turbulence did not endanger the aircraft and did not require inputs to correct the aircraft's position, NTSB found.

Because of its high sensitivity – including light pedal forces and small pedal displacements - the A300-600 rudder control system is susceptible to potentially hazardous rudder pedal inputs at higher airspeeds, the Board said. It called for certification standards for rudder pedal sensitivity, modifying A300-600 and A310 rudder control systems to increase protection from potentially hazardous pedal inputs at high speeds and publishing guidance to avoid what it called "negative training" of the kind it found in American Airlines' upset recovery training.

That training could have caused the first officer to have an unrealistic and exaggerated view of the effects of wake turbulence, erroneously associate wake turbulence encounters with the need for aggressive roll upset recovery techniques, and develop control strategies that would produce a "potentially surprising and confusing" response.

Why and How to Tell Our Industry's Story

By Bennett Z. Kobb, ARSA Publication Services

If you're in the maintenance business, you're in the communication business. You already communicate to your customers through personal contact. Maybe you're reaching prospective customers through advertising. Consider that it may no longer be enough to communicate only with those in the market for maintenance services. Public relations (PR) and media relations are gaining priority for the maintenance industry.

That's because print, broadcast and Internet news media are reporting on maintenance quality and security as a part of their broader coverage of the aviation industry. They're finding plenty of material: Politicians are railing against 'outsourcing', including maintenance outsourcing, as a cause of lost jobs.

Congress is pressing FAA and TSA to increase oversight of repair stations. The Department of Transportation Office of Inspector General believes it has found discrepancies in repair station operations that demand investigation and enforcement (*DOT OIG Points to Repair Station Oversight as Top Challenge,*12/31/03 *hotline*).

The path to hearings, investigations, laws and regulations often starts when policymakers learn of an issue through media reports. Scanning the general press today, you could conclude that independent maintenance is rife with problems.

A Web search during the preparation of this newsletter led us straight to a Charlotte (N.C.) Observer article titled *Outsourcing Up, Inspections Down.* "[A]n Observer analysis shows...contract shops get far less regulatory scrutiny than the airlines' own maintenance shops," the newspaper said. "Those who run repair stations say they do first-rate work. Studies and experts have raised concerns, though, concluding that it's harder for airlines to ensure quality work when they farm it out to contractors." (12/8/03)

Our search also led to an article that connected outsourced airline maintenance with corporate shortsightedness. A Minneapolis Star-Tribune article, *Repeal the Laws that Reward Companies Outsourcing Jobs,* reads: "U.S. airlines are outsourcing major aircraft maintenance to Singapore. ...Unfortunately companies outsourcing these jobs seem to be only looking out for their own short-term, bottom-line profits. They are not looking at the long-term interests of our communities or of the U.S. economy." (10/22/04)

Cost-effective, without safety problems

Not all the coverage our industry receives is unfavorable, of course. When Midwest Airlines announced it is outsourcing maintenance, the Milwaukee Journal-Sentinel made an effort to get a professional's view. Its article *Midwest to Contract Maintenance* quoted an aviation consultant saying, "Contracting out of such [maintenance] work is common in the airline industry. ...Companies that perform such maintenance compete very, very aggressively for the business. You can do it very cost-effectively and without any safety problems." (10/27/04).

When aviation comes up in 'outsourcing' stories, the message that should be told is: Aviation increasingly depends on independent maintenance specialists. Outsourcing to certificated providers is not alarming, but a normal and necessary part of this industry. According to Back Aviation Solutions, half of all commercial aircraft maintenance is performed by outside vendors and this number could reach 65% by the end of the decade.

Outsourcing may be bad news to some, but the good news is that you can take steps to help improve the public's understanding and appreciation for who you are and what you do. And because government officials and members of Congress read the papers, watch TV and surf the Web like you do, better press just might contribute to a better regulatory climate for our heavily regulated industry.

All news media have a steady appetite for material. Plenty of folks aim to fill that appetite. It's likely that your local newspaper, business journal or broadcast reporter constantly receives 'pitches' for stories, news releases, press kits and E-mails, not to mention calls from presumed newsmakers and PR agencies.

Ask a reporter how many of those attempting to gain press attention know the reporter, or really understand the publication or news department they're pitching. Chances are, you'll be told that few such publicity seekers have taken the time to become familiar with the reporter and the kinds of stories they write.

So do what the competition doesn't. Note the reporters you read and watch on aviation and business topics. Search the Web for the reporters' names and review the stories they have produced. Try to understand the reporter's topics and approach. This is how you begin to build your media contacts list.

For good and for ill, aviation maintenance is in the news. In future articles, we'll look at how to work with those covering our industry. There are effective ways to reach them and build relationships. And you might be as pleased as we were at some of the good coverage maintenance companies have received.

Your Two Cents

This is your chance to get involved. Agencies must provide the public notice and an opportunity for comment before their rules or policies change. The notices are published in the Federal Register (FR). Comments should be received before the indicated due date; however, agencies often consider comments they receive before drafting of the final document begins. Find notices and file comments on the Web at http://www.regulations.gov or http://dms.dot.gov. The FR is at http://www.archives.gov/federal_register/index.html.

Commercial Aviation Safety Team (CAST)

FR Date: 10/29/04 Docket FAA-2004-19400 http://www.arsa.org/hotline/103104/FAA-2004-19400.htm

The FAA proposes that information it receives from voluntary compliance with safety enhancements recommended by the CAST be designated as protected from public disclosure.

Comments are due 11/9/04. Contact Margaret Gilligan <peggy.gilligan@faa.gov>, FAA Deputy Associate Administrator, Regulation And Certification, 202 267 7804.

Ice protection equipment

FR Date: 10/26/04 Docket ANE-2003-35-1-R0 http://www.arsa.org/hotline/103104/ANE-2003-35-1-RO.htm

The certification of the propeller ice protection system involves an overlap between airplane and propeller requirements. Aircraft must meet the icing requirements of Parts 23 or 25 while propellers must comply with the structural and durability requirements of Part 35. The overlap in requirements has led to confusion over the configuration and quality control responsibility. This policy clarifies those responsibilities.

Comments are due 12/15/04. Contact Jay Turnberg <jay.turnberg@faa.gov>, FAA Engine and Propeller Standards Staff (ANE-110), 781 238 7116.

Part 23 systems and equipment guide AC

FR Date: 10/26/04 AC 23-17B http://www.arsa.org/hotline/103104/AC 23-17B Extension.htm

The deadline to respond to *Systems and Equipment Guide for Certification of Part 23 Airplanes and Airships* has been changed from October 29, 2004 to November 29, 2004.

Contact Leslie B. Taylor <leslie.b.taylor@faa.gov>, FAA Small Airplane Directorate (ACE-111), 816 329 4134.

Approved Model List STC

FR Date: 10/8/04 AC 23-xx-22 http://www.arsa.org/hotline/103104/AC 23-xx-22.htm

This draft advisory circular sets forth guidelines for using the Approved Model List Supplemental Type Certificate process for the installation approval of avionics for Part 23 airplanes. This notice concerns FAA personnel, equipment manufacturers and avionics equipment installers.

Comments are due 11/8/04. Contact Wes Ryan <wes.ryan@faa.gov>, Small Airplane Directorate, 816 329 4125.

Certification of restricted category aircraft

FR Date: 10/8/04 http://www.arsa.org/hotline/103104/Proposed Policy.htm

This order applies to personnel in the Aircraft Certification Service, Flight Standards Service, anyone designated by the Administrator and organizations associated with the certification process. This order details the responsibilities and procedures for certification of restricted category aircraft under Part 21.25. It supplements Order 8110.4, *Type Certification;* Order 8120.2, *Production Approvals and Certificate Management Procedures;* and Order 8130.2, *Airworthiness Certification of Aircraft and Related Products.*

Comments are due 11/30/04. Contact Graham Long <9-awa-air110-gn12@faa.gov>, FAA Aircraft Certification Service (AIR-110), 202 267 3715.

Bills on the Hill

American Jobs Creation Act Offers Corporate Tax Overhaul

By Christian A. Klein, ARSA Legislative Counsel and Christopher Durocher, ARSA Associate Legislative Counsel

Congress has provided an estimated $137 billion in new corporate tax cuts. The American Jobs Creation Act provides tax incentives for domestic manufacturers and small businesses, retools subchapter S corporation rules, and extends the depreciation bonus for small corporate aircraft.

On October 22, two weeks after Congress passed the American Jobs Creation Act (AJCA), President Bush signed the corporate tax package into law. Considered by many the most significant corporate tax overhaul since 1986, the AJCA's impetus was the repeal of export tax subsidies for U.S. companies that the World Trade Organization (WTO) had declared illegal. In response to the AJCA's passage, the European Union, which is imposing punitive duties of as much as 12 percent on more than 1,600 U.S. products, has announced that it will lift its sanctions as of January 1, 2005.

To offset the loss to American companies of more than $50 billion in subsidies, lawmakers used the legislation as a vehicle to provide an estimated $137 billion in new corporate tax cuts. Through its many provisions, the AJCA provides tax incentives for domestic manufacturers and small businesses, retools subchapter S corporation rules, and extends the depreciation bonus for small corporate aircraft.

Tax cuts for domestic manufacturers

The major provision of the AJCA effectively reduces the corporate tax rate from 35 percent to 32 percent for income derived from domestic production activities. The provision allows a taxpayer to deduct a portion of the income from the sale of property "manufactured, produced, grown or extracted" in the United States. In 2005 and 2006 the deduction is three percent, in 2007, 2008 and 2009 the deduction is six percent, and in 2010 and beyond the deduction is held at nine percent. The nine percent deduction effectively reduces a taxpayer's tax liability by three percent, but only for that income derived from production activities.

Deductions under this provision, available to corporations, partnerships, sole proprietors, individuals, trusts, and estates, are limited to 50 percent of the wages the taxpayer pays during the taxable year. In addition, prior to taking the deduction, domestic production activity income is reduced by the cost of the goods sold, any other deductions, expenses or losses taken as a direct result of the goods' sale (e.g. selling and marketing expenses), and the pro rated share of other deductions not directly attributable to the goods' sale (e.g. general and administrative expenses).

Many U.S. repair stations hold production approvals, whether under a type certificate, production certificate, technical standard authorization order or parts manufacturer approval. Their activities in manufacturing may qualify them for the domestic production activity tax deduction. To determine whether a particular activity qualifies as a domestic production activity, however, it is important that you consult a qualified tax professional.

Increased expensing for small business extended

Small business benefited from an AJCA provision extending increases in Sec. 179 expensing levels through the end of 2007. The 2003 Jobs & Growth Act increased to $100,000 the amount a business could expense, raised the phase-out cap for the expensing law to $400,000, and indexed those higher limits to inflation. Without the AJCA provision the expensing level increases would have expired at the end of 2005.

Lawmakers believe that, in conjunction with the tax cut for domestic manufacturing, the increased expensing levels will enhance the country's economic recovery by creating incentives for domestic manufacturing and allowing for increased capital investment by small businesses.

Subchapter S corporation rules get a makeover

Another major goal of the AJCA was to make it easier for businesses to qualify as subchapter S corporations and to simplify the tax treatment for the shareholders of these corporations. This provides many small businesses more options when structuring their operations. An S corporation is a corporation whose income is taxed through its individual shareholders rather than through the corporation itself. Unlike C corporations, S corporations are not subject to corporate-level income tax. Income and losses are passed on to shareholders who account for these items on their individual tax returns.

Companies that meet certain requirements set forth in IRC Subchapter S can elect S corporation treatment. Until this fall, a company was eligible if 1) it had just one class of stock, 2) it had 75 or fewer individual shareholders, 3) all the shareholders were citizens or residents of the United States, and 4) all the corporation's shareholders approved the election of S corporation status.

The AJCA dramatically expanded the possible pool of companies that can qualify as S corporations. Most significantly, the new law increased the maximum number of shareholders from 75 to 100 and modified an exception that treats a husband and wife as one shareholder.

Under the AJCA, all shareholders who are members of the same family are also now treated as one shareholder for purposes of determining S corporation eligibility. Say, for example, that 105 individuals own a corporation's stock. Even under the AJCA's higher shareholder threshold, that corporation would not be S corporation-eligible. But if six of those individuals were members of the same family, they would be treated as one shareholder, allowing the company to qualify as an S corporation. The law includes within the one-family, one-shareholder rule former spouses and family members who are beneficiaries of a trust that owns shares of the corporation.

Additionally, the AJCA extends the amount of time an electing small business trust (ESBT) (a type of trust designed specifically for holding S corporation shares) has to dispose of its shares after an ineligible shareholder (e.g. a non-resident alien) becomes a potential beneficiary. The extension, an increase from 60 days to one year, helps prevent the accidental or involuntary disqualification of a corporation from S corporation status. The AJCA also allows the trustee of the ESBT to limit the potential beneficiaries that would be considered shareholders of the S corporation. As with the many of the other changes, this allows more corporations to qualify.

Corporate aircraft depreciation bonus

In an effort to help U.S. aviation manufacturers, Congress used the AJCA to extend the additional depreciation allowance for purchases of small corporate aircraft. Since 2002, purchasers of corporate jets and other various business capital investments have been able to accelerate the depreciation deduction they take for those purchases.

This "depreciation bonus", designed to spur a sluggish post-September 11th economy, allowed taxpayers to depreciate, or write-off, 30 percent of the cost of their capital investments in the first year. In 2003, the Jobs & Growth Act increased the deduction to 50 percent. The depreciation bonus, however, is set to expire on January 1, 2005. Congress hopes the depreciation bonus extension will encourage additional purchases of aircraft and aid in the aviation industry's economic recovery.

Under the AJCA, an aircraft ordered in 2004, placed in service by the end of 2005, and that is "not a transportation property" is eligible for the 50% depreciation bonus deduction in 2005. The purchaser must also make a nonrefundable deposit of $100,000 or ten percent of purchase price at the time of the order, and the aircraft must have an estimated production period of more than four months.

The Internal Revenue Code defines "transportation property" as "personal property used in the trade or business of transporting persons or property." This means that only aircraft used privately by an individual or company for their own needs qualifies for the depreciation bonus.

Your ability to benefit from any of these changes in the IRC depends on your specific situation. Consult a qualified attorney or accountant to learn more about how these and other changes in the AJCA could help your business.

International News

New AC Revises FAA Charges Outside the United States

By Christian A. Klein, ARSA Legislative Counsel

Foreign repair stations take note: The FAA's new AC 187-1A establishes new fees for services performed by FAA safety inspectors outside the United States.

The FAA has revised its schedule of charges for services performed by Flight Standards Service (AFS) aviation safety inspectors outside the United States. The new fee schedule, contained in AC 187-1A, carries a release date of Sept. 24 and was announced in the Federal Register on Oct. 14. The new document supersedes AC 187-1, which was issued in 1995.

The following are among the particular fee increases contained in the new AC 187-1A likely to be of interest to foreign repair stations (note that fee increases are from those listed in Appendix 1 of AC 187-1):

- Written tests for mechanics increased from $40 to $69;
- Practical tests for mechanics increased from $504 to $863;
- Inspection authorization (initial) increased from $392 to $671;
- Inspection authorization (renewal) increased from $72 to $123;
- Repairmen (initial certification, renewal, or added rating) increased from $72 to $260;
- Designated airworthiness representative (initial) increased from $440 to $754;
- Designated airworthiness representative (renewal) increased from $160 to $274;
- Designated mechanic examiner (initial) increased from $504 to $863;
- Designated mechanic examiner (renewal) increased from $184 to $315; and
- Repair station certification, approval, authorization and/or inspection actions increased from $80 per inspector hour to $137 per inspector hour.

As did AC 187-1, AC 187-1A prescribes that transportation and subsistence costs in addition to the published charges will be assessed to applicants for certification actions requiring travel from the inspector's duty station. You can download the new AC 187-1A from ARSA at: http://www.arsa.org/library/AC187-1A.pdf

New 8130.21D Causes Confusion on Dual Release Issue

Over the last few months in this space we've addressed the issue of what wording should be included in Block 13 of the 8130-3 form when approving a product or part for return to service under both an FAA and European Aviation Safety Agency (EASA) certificate (a so-called "dual release").

In August, in response to numerous member inquiries, ARSA suggested interim language for repair stations to use until EASA spoke on the matter. Shortly thereafter EASA issued guidance and specified language that varied only slightly from that suggested by ARSA. ARSA notified its members and urged that the new EASA language be used (see Sept 30, 2004 *International News*). That should have been last word on the issue, but it wasn't.

In late September, the FAA issued the new 8130.21D, which revised procedures for completing the 8130-3 form (see related story in this issue). Unfortunately, Section 12(b)(1)(3) of that document suggested yet *another variation* of the wording to use in Block 13 when doing a dual release, a fact that was quickly called to our attention by one particularly attentive ARSA member.

We have since been advised by EASA that the proper wording for Block 13 is, in fact, the language in the guidance material issued by EASA last month *with a minor modification* and that the FAA is revising its own guidance to reflect that fact. So, according to EASA, until further notice (which, unfortunately, has come to mean "until next month"!) here's the language you should be using to approve a product or part for return to service to satisfy an EASA member state civil aviation authority:

"Certifies that the work specified in Block 12/13 was carried out in accordance with EASA Part-145 and in respect to that work the aircraft component is considered ready for release to service under EASA Approval certificate number EASA.145.XXXX."

Member Spotlight

By Keith Mendenhall, ARSA Member Services

Bernard E. Rookey, President, Texas Pneumatic Systems, Arlington, Texas

What type of work does your company do?

Texas Pneumatic Systems (TPS) performs overhaul and repair of components for the airline industry.

Two major issues for ARSA right now are drug and alcohol testing and availability of Instructions for Continued Airworthiness (ICAs). Do these affect your company?

We are strong on the ICA issue. TPS is one of the companies identified in ARSA's complaint with the FAA. *(Editor's note: ARSA's formal complaint alleges that Airbus has not provided basic safety information about components of its aircraft as required by law. The October 3, 2003 complaint documents the refusal of Airbus to provide ICAs to Texas Pneumatic Systems and Aerotron AirPower, Inc. of LaGrange, Ga. See the ARSA news release http://www.arsa.org/news/release10-14-03.html for more information.)*

The expansion of drug/alcohol testing is a high-cost initiative on the FAA's part with little benefit to our industry.

What is your company's major concern for the next year?

Implementation of training procedures. We have some concern over the FAA's lack of guidance on training, with the rule close to being released. We have a training program; we don't know what impact the rule will have on it. We'd like to see ARSA offer a "Train the Trainer" course, due to FAA requirements being imposed.

As a founding member, and now as Senior Vice President of the Association, why do you support ARSA?

We believe that any company that is not a member is missing half the boat. ARSA tells us what's happening in D.C. with the FAA and legislative affairs, also it helps with guidance in our long-term planning. We think ARSA needs more visibility, for example with helicopters, and it should increase its emphasis on general aviation.

How did you get involved with the aviation industry?

I've been an A&P mechanic since the age of 18. My father was one of the original Flying Tigers.

What would you like people to know about Texas Pneumatic Systems?

Our 10th anniversary will be on November 1, 2004. The company's success has far exceeded our expectations.

EASA On Tour

Looking for information about what the transition to EASA in Europe means for you? EASA's director of maintenance organizations will be touring the U.S. next month for a series of information sessions. To find out what's happening when, check this EASA release on the ARSA Web site.

ARSA Welcomes New Members

Advantage Aviation Technologies Cleburne, TX www.advantageaviationtech.com	Aviation Quality Solutions, Inc. Miami, FL	Enterprise Jet Center Houston, TX www.entaircen.com	Robert Brooks Consulting Gig Harbor, WA
Agusta Aerospace Corporation Philadelphia, PA www.agustausa.com	Bama Air, Inc. Tuscaloosa, AL www.bamaair.com	Exotic Metals Forming Co., Kent, WA www.emfcowa.com	Thrasher Avionics Northport, AL www.thrasheravionics.com
Ameron Global Product Support Holbrook, NY www.ameronglobal.com	Capital Aviation LLC Lawrence, KS www.capitalaviation.net	Flyers Aviation Service Technologies Port Arthur, TX	U.S. Chrome Corp. of Ohio, Dayton, OH http://www.uschrome.com
Approved Aeronautics, LLC Walnut, CA www.approvedaeronautics.com	Emery Air, Inc. Rockford, IL www.emeryair.net	Ontic Repair Station Chatsworth, CA http://www.ontic.com	Weber Aircraft LP College Park, GA www.weberair.com

World Wide Whoa

By Bennett Z. Kobb, ARSA Publication Services

Next: Jet-powered crutches... The turbine engine was a breakthrough in aviation. It also does wonders for *wheelchairs* and *shopping carts.* Awardees at the British Model Flying Association (BMFA) Top Gun competition included Guiseppe Cannella for his 70 MPH turbine-powered wheelchair. Cannella's prize? A package of aspirin...

Meanwhile, flying instructor Andy Taylor of Beccles, Suffolk – a member of a DIY turbine club – fitted a turbine engine to a shopping cart (called a shopping *trolley* in the UK) for a 50 MPH rocket ride. Taylor told the *Glasgow Daily Record,* "People think I'm off my trolley but when it gets going it is exhilarating." The engine exploded on its first try, burning Taylor's face and hands. He kept going and is now working on a bigger engine. "Thankfully my other half, Sue, lets me get on with it and my children just think I'm mad," he said.

High-tech TV is also ELT... A Corvallis, Oregon man learned that a 121.5 MHz signal emitted by his cool new flat-screen TV got him on the short list at COSPAS/SARSAT, operators of the international search and rescue satellite system. Chris van Rossman's unintended signal on the standard Emergency Locator Transmitter frequency was routed by satellite to the Air Force, leading to a visit from police, Civil Air Patrol and rescue personnel. The warranty on the TV expired just before this exciting episode. The manufacturer has promised a replacement... (Tech note: The satellite system is switching to 406 MHz and will no longer answer calls on 121.5 after 2/1/2009.)

Stealth UFO on world tour... 21st Century Airships of Newmarket, Ontario, created a spherical airship that set an altitude record (20,450 ft.) in 2003. Next year Company CEO Hokan Colting will attempt a 27,000 mile, manned 14-day flight around the world.

A reseller of these airships, Cyber Aerospace, describes the huge craft as a "stealth-type vehicle [that] would secretly land...and/or proceed to disable threatening hostile individuals or groups" and can "quickly replace obscure/destroyed technology infrastructures." We're not sure what "obscure technology infrastructures" might be. Maybe because they're, well, *obscure...*

And we're still counting the shoes... Travelers left $321,329.48 in loose change behind at Transportation Security Administration (TSA) checkpoints over the last 12 months. The money goes into the U.S. general fund.