



121 North Henry Street  
Alexandria, VA 22314-2903  
T: 703 739 9543 F: 703 739 9488  
arsa@arsa.org www.arsa.org

February 26, 2015

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John S. Duncan  
Director  
Flight Standards Service  
Federal Aviation Administration  
800 Independence Avenue, SW  
Washington, D.C. 20553-0002

Re: Consistency and Standardization Initiative (CSI) Meeting Request  
CSI Re-Initiation on "Exclusive Use" of Permanent Suitable Housing

Dear Mr. Duncan,

The Aeronautical Repair Station Association (ARSA) apparently does not understand the Consistency and Standardization Initiative (CSI) principles and process. In the past the association used the CSI to address pivotal issues. The submittals always had some facts emanating from a certificate holder's particular situation, but it did not stop the agency from addressing the matter. For example, the agency has resolved the pivotal issue of how technical data supporting maintenance manuals are approved by responding to a CSI that began with a situation involving [Erickson AirCrane](#).

Recently, the association has participated in submitting CSIs on two pivotal matters. Unfortunately, both have become embroiled in attempts to address the certificate holder's issues rather than addressing the fundamental questions raised.

Regarding the one involving repair station-developed work instructions, we request a meeting to discuss the CSI procedures as explained in the [CSI Principles Brochure](#), using the association's submittal as an example.

Regarding the second, we are submitting this letter in an attempt to redirect the CSI process to address the pivotal issue.

**(I) CSI on Exclusive Use**

With this letter the association wishes to reinitiate its request for a clear answer to its query regarding the regulations and policy surrounding housing requirements for repair stations with airframe ratings. The initial CSI had facets specific to a particular certificate holder and its local office,<sup>1</sup> which are supposedly being addressed by enforcement action. ARSA certainly does not

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<sup>1</sup> See letters dated [April 30, 2014](#), [May 13, 2014](#), [May 21, 2014](#) and [September 24, 2014](#).

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wish to involve itself in any legal proceedings; the association is merely attempting to get an answer to a basic regulatory compliance question.

In order to separate the certificate holder’s particular facts from the pivotal question, ARSA has simplified its CSI submission to address the singular issue involving exclusive use under section [145.103\(b\)](#). The basic question is: Does an applicant for or holder of a repair station certificate with airframe ratings<sup>2</sup> need “exclusive use” of the “suitable permanent housing” required by section [145.103\(b\)](#)?

### **(A) Regulatory Summary**

Section [145.103\(a\)\(1\)](#) states that “[e]ach certificated repair station must provide housing for the facilities, equipment, materials, and personnel, consistent with its ratings.”

That requirement is followed by [145.103\(b\)](#) that states “a certificated repair station with an airframe rating must provide suitable permanent housing to enclose the largest type and model of aircraft listed on its operations specifications.”

During the most recent rulemaking on part 145, the agency specifically rejected a proposal to require “exclusive use” of a hangar in section [145.103](#).<sup>3</sup>

Therefore, to become certificated, an applicant must provide (among other things):

- A principle place of business as the fixed location.
- Housing, facilities, equipment, materials, data and personnel consistent with its ratings.
- For an airframe rating, arrangements for suitable permanent housing to enclose the largest type and model of aircraft upon which it is authorized to work.

### **(B) Public guidance**

[AC 145-9](#), Guide for Developing and Evaluating Repair Station and Quality Control Manuals, paragraph 4-2, states that the repair station manual should include a description of the housing and facilities, including a drawing showing the floor plan of the facility and a description of heating, lighting, equipment location, shop areas, electrical, and compressed air outlets.

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<sup>2</sup> Issued under section 145.59.

<sup>3</sup> See [77 Fed. Reg. 30068](#), 30081 (proposing that repair stations must “provide and maintain” permanent housing, and that “the certificate holder must have sole operational control” of the premises); see also [79 Fed. Reg. 46975](#) (rejecting the proposed change).

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### **(C) FAA internal guidance**

FAA Order [8900.1](#) Volume 2, Air Operator and Air Agency Certification and Application Process, Chapter 11, Certification of a Title 14 CFR Part 145 Repair Station, Section 5: Evaluate Part 145 Repair Station Facilities and Equipment provides evaluation and inspection guidance for original certification, change in rating, change in location, or adding facilities for part 145 repair stations.

FAA Order [8900.1](#), Volume 6, Surveillance, Chapter 9, Part 145 Inspections. Section 8: Inspect a Part 145 Repair Station’s Housing and Facilities provides guidance for inspecting the adequacy of repair station housing and facilities.

FAA Order [8900.1](#), Volume 2, Chapter 11, Section 5, paragraph 2-1320, states that repair stations must provide housing for the facilities, equipment, materials, and personnel consistent with its ratings, i.e., sufficient work space and areas for the proper segregation and protection of articles during all maintenance, preventive maintenance, or alterations with suitable racks, hoists, etc.

Paragraph 2-1320 (B), states that a certificated repair station with an airframe rating must provide suitable permanent housing to enclose the largest type and model of aircraft listed on its Ops Specs.

There are no ambiguities or inconsistencies among and between the regulations and guidance. The regulations, public advisory materials and internal guidance do not define “suitable permanent housing.” However, the agency has created a reasonable interpretation of the term through its public advisory material and its orders to inspectors and its rejection of requiring “exclusive use” of the premises.

### **(D) Conclusion**

While the performance-based regulations do not define suitable permanent housing, it is clear that it would be that which provides the necessary facilities and areas to perform work in accordance with part [43](#).<sup>4</sup> There is no requirement for the applicant or certificate holder to have *exclusive use* of suitable permanent housing. Exclusivity is not necessary to perform work appropriately and was specifically rejected in a rulemaking proceeding.

ARSA would appreciate an agency response making clear that permanent suitable housing under section [145.103\(b\)](#) does not include a need for exclusive use of the premises. Rather the regulations require assurance that the work will be performed in accordance with part [43](#) under the ratings and limitations sought and provided.

Specifically, for airframe-rated repair stations suitable permanent housing means establishing access to and appropriate availability<sup>5</sup> of a hangar big enough to

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<sup>4</sup> See, § [145.201\(a\)\(1\)](#).

<sup>5</sup> As required by § [145.109\(a\)](#).

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enclose the largest type and model of aircraft listed on its Ops Specs when work requires the enclosure, but availability need not be "exclusive".

**(II) Additional Request**

The association requests a meeting to review and discuss the [CSI process](#) so it may avail itself of the ability to obtain clarity and standard application of regulations and compliance issues that arise with its members. We request that the pending CSI on work instructions, which is linked for your convenience, set the agenda for that informational exchange.

We await your prompt reply to our requests.

Your Servant,



Sarah MacLeod  
Executive Director

Document  
hyperlinks:

[FAA Response to Erickson CSI dated February 23, 2010](http://arsa.org/wp-content/uploads/2012/09/EricksonCSI-20100223.pdf)

<http://arsa.org/wp-content/uploads/2012/09/EricksonCSI-20100223.pdf>

[ARSA-CSI on Work Instructions, dated May 28, 2014](http://arsa.org/wp-content/uploads/2014/05/ARSA-CSI-WorkInstructions-20140528.pdf)

<http://arsa.org/wp-content/uploads/2014/05/ARSA-CSI-WorkInstructions-20140528.pdf>

[Consistency & Standardization Initiative Principles Brochure](http://www.faa.gov/about/office_org/headquarters_offices/avs/consistency_standardization/media/csi_brochure.pdf)

[http://www.faa.gov/about/office\\_org/headquarters\\_offices/avs/consistency\\_standardization/media/csi\\_brochure.pdf](http://www.faa.gov/about/office_org/headquarters_offices/avs/consistency_standardization/media/csi_brochure.pdf)

[Aviation Safety – Consistency & Standardization Initiative](http://www.faa.gov/about/office_org/headquarters_offices/avs/consistency_standardization/)

[http://www.faa.gov/about/office\\_org/headquarters\\_offices/avs/consistency\\_standardization/](http://www.faa.gov/about/office_org/headquarters_offices/avs/consistency_standardization/)

cc by email to: Steven W. Douglas  
Patricia Williams

[steven.w.douglas@faa.gov](mailto:steven.w.douglas@faa.gov)

[patricia.k.williams@faa.gov](mailto:patricia.k.williams@faa.gov)

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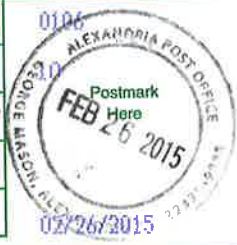
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Flight Standards Service  
 Street, Apt. No. Federal Aviation Administration  
 or PO Box No. 800 Independence Avenue, SW  
 City, State, ZIP+4 Washington, DC 20553-0002

PS Form 3800, August 2005 See Reverse for Instructions