

Attachments: [ARSA-Joint-Industry-Policy-Submitted-to-EASA-26-January-2010.pdf](#) (double-click attachment to open)

From: Marshall S. Filler
Sent: Tuesday, January 26, 2010 2:30 PM
To: Peter Corbeel (Peter.Corbeel@easa.europa.eu)
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Subject: ARSA ICA documents

Dear Peter,

As a follow-up to the EASA ICA meeting last week, I have attached ARSA's Joint Industry Policy submitted to the FAA in 2004. The documents include ARSA's transmittal letter and the Joint Industry Policy in narrative and matrix form. We are providing this information for EASA's consideration in the upcoming rulemaking project.

The ARSA Joint Industry Committee represented a cross-section of the maintenance industry and the names of the Committee members who approved the submission are reflected in the attachment. The Committee focused on the inter-relationship among design, production, operation and maintenance rules and attempted to balance the interests of TC holders, their component suppliers, operators and maintenance providers.

The policy called for mandatory creation of CMMs and, as with other ICAs currently, a requirement to make them available to persons required to comply with those instructions (i.e., operators and maintenance providers). Under FAA and EASA interpretations of current regulations, in the absence of TC holder incorporation of a CMM into the product level ICAs, component maintenance instructions do not have to be prepared unless required by other rules, such as appliance repair design ICAs or ETSOA maintenance and overhaul manuals. Ironically, approved component maintenance organizations are required to hold current CMMs and use them when performing the work unless alternative work instructions are developed and technical data is approved, as applicable (Annex I, Part M, section M.A.609 and Annex II, Part 145, section 145.A.45 of Commission Regulation (EC) No. 2042/2003).

Regulations and associated guidance generally require that component design changes be coordinated between TC holders and their suppliers (particularly so for in-production aircraft). However, there is no similar requirement for the initial creation of CMMs or their revisions and similarly, there are no regulations relating to their required content. In large part, CMMs exist today as a result of contractual requirements between TC holders and their suppliers and such agreements do not typically require them to be made available to maintenance providers. Indeed, it has been ARSA's experience that some component (and even product level) manufacturers go out of their way to withhold this maintenance data from organizations that are neither affiliated with nor otherwise "authorized" by the manufacturer. While ARSA understands the commercial motivations involved, we submit they should not be allowed to trump the interests of aviation safety especially when the regulations require a separate approval for return to service at the component level and then another approval upon installation in the type-certificated product.

Although CMMs can sometimes be obtained from operators (assuming they exist), this does not resolve the "chicken and egg" situation that requires maintenance providers to have CMMs and follow them under the applicable regulations. Perhaps more importantly, a substantial portion of component

maintenance is performed for distributors and therefore no operator is involved at the time the work is performed. ARSA submits that this hole in the regulatory system unavoidably leads to a proliferation of independently-developed, non-standard maintenance procedures to accomplish basic tasks. Our purpose in advocating greater regulatory oversight of CMMs is not to prohibit maintenance providers from developing repairs outside the manufacturer's manual in accordance with applicable requirements or to require manufacturers to disclose all of their repair data. Rather, it is to ensure that basic maintenance tasks such as cleaning, disassembly, repair (including in-process inspections), re-assembly, test and/or final inspection are developed by the entities in the best position to do so because they designed and manufactured the articles.

Finally, ARSA recognizes that CMMs are one of many ICA issues being examined by EASA during the project; however, we believe it is one of the most important in light of the Agency's recent emphasis on continued airworthiness and operational safety. In light of EASA's desire to consider these issues in coordination with the FAA, TCCA and other regulatory agencies, somewhat different solutions may be required to accomplish the same objective under the various regulatory systems. We believe these differences can be accommodated and look forward to continued participation in the rulemaking process.

We commend the Agency for its leadership role on this important issue. Please let me know if you have any questions or desire additional information

Best regards,

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