



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

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Process Support
Rulemaking Directorate
European Aviation Safety Agency
Postfach 10 12 53
D-50452 Cologne, Germany
NPA@easa.europa.eu

Sent via E-mail

RE: EASA NPA No. 2007-09

The Aeronautical Repair Station Association (ARSA or Association) represents entities around the world that are certificated under Title 14 CFR part 145. A majority of our members also hold European Aviation Safety Agency (EASA) part 145 approvals to perform maintenance on articles under EASA's regulatory control. Our members range from large corporations that also design, produce and operate aircraft to small family-owned businesses. We recognize the difficulty in promulgating regulations for the international aviation maintenance industry that take into account a myriad of organizations, let alone the variety of work this industry performs.

ARSA commends EASA's continual efforts to improve its regulations and apologizes for submitting its comments late. However, it has taken some time to sort through the changes in the above referenced Notice of Proposed Amendment (NPA) and formulate a response. The NPA was brought to our attention by a member in the European Union (EU) who is concerned that the proposed rulemaking unnecessarily complicates the procedural aspects of EASA maintenance releases without producing substantive changes.

Existing Release System Addresses NPA Concerns

ARSA believes the NPA will confuse an established maintenance release process without providing any real benefits. Under the existing system each person is responsible for the maintenance it performs. As maintenance steps on various components are built into a whole product (i.e., aircraft, aircraft engines or propellers) the successive maintenance organizations are already responsible for maintenance performed by lower tier organizations. The higher level maintenance organizations cannot accept work from another organization that does not conform to the air carrier's requirements.

In the end the maintenance organization that ultimately performs the work on the whole product must review the releases issued for each maintenance task ordered to ensure that all work was performed properly. This organization then issues the release to service for the whole product. This certificate certifies that the ordered work was performed properly (as evidenced by the numerous maintenance releases from other

organizations) and in respect to that work, the product is released to service. The operator is, of course, ultimately responsible for operating an airworthy aircraft.

Proposed Release System Adds Confusion

The NPA does little to change the existing system of maintenance releases. Instead it establishes a hierarchy of releases where a collection of lower-level releases ultimately leads to a single certificate of release to service for the aircraft. In this proposed system the lower-level maintenance releases certify that the maintenance carried out by that organization was properly performed. The aircraft remains in an unapproved state until a primary maintenance organization (PMO) verifies that all the maintenance tasks ordered were completed and issues a release to service. This release confirms that the aircraft is ready for release to service with respect to the work ordered by the operator. It does not cover any work the operator did not order and final airworthiness responsibility still rest with the operator.

Clarification Better Suited for Guidance

ARSA commends EASA for trying to clarify the responsibilities where multiple maintenance releases are issued by several organizations. However, the Association recommends this be developed into guidance instead of amending the rules. This is an especially prudent considering the NPA only clarifies the existing rule that each maintenance organization only approves the work it performed for release to service, not the entire aircraft.

It is also in the interest of international harmonization. For example, EASA's existing release system is equivalent to the Federal Aviation Administration's (FAA). In the U.S. an FAA Form 8130-3 is issued to certify that the work described was accomplished in accordance with the regulations and in respect to that work the items are approved for return to service. Even when the work is accomplished on a complete aircraft, the 8130-3 only certifies that the ordered work was performed properly and is approved for return to service.

Conclusion

For the reasons stated above, ARSA recommends that EASA incorporate the substance of the NPA into official guidance. Amending the regulations to clarify existing practices carries the risk of unintended and troublesome consequences that can only be reversed through another formal rulemaking procedure.

ARSA looks forward to working with EASA towards the implementation of the proposed recommendation and appreciates the agency's consideration of its comments.

EASA Rulemaking Directorate

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Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Colin P. Carroll".

Colin P. Carroll

Associate Counsel

Aeronautical Repair Station Association