

## ARSA Action ~ 2008

*The following are selected articles that appeared in the ARSA Action section of 2008 issue of **the hotline**. These articles are presented to give the reader an idea of the work the Association does on behalf of its members.*

### January

#### **Final Rule Impacts Stripping and Coating Operations**

On Jan. 9, 2008, the Environmental Protection Agency (EPA) released a final rule to reduce air pollutants that imposes new equipment requirements, management practices and personnel training on certain paint stripping and surface coating operations, including those in the aviation industry.

In October 2007, ARSA joined with seven other industry groups in asking the EPA for a 90-day extension to comment on the proposed rule. The agency extended the comment period for an additional 30 days before publishing this final rule.

The rule is effective Jan. 9, 2008 and specifically targets entities engaging in paint stripping operations using methylene chloride (MeCl). Any new paint stripping or surface coating operations must comply with the rule upon start-up, while existing operations must be in compliance by Jan. 9, 2011.

A copy of the final rule may be found here:

<http://edocket.access.gpo.gov/2008/pdf/E7-24718.pdf>

### February

#### **ARSA Executive Director: "Contract Maintenance is Here to Stay"**

Emphasizing the pivotal role of contract repair stations in the aviation industry, ARSA Executive Director Sarah MacLeod addressed attendees at the "Aircraft Maintenance Outsourcing Summit" held Feb. 11, 2008. The summit, sponsored by the Business Travel Coalition and the International Brotherhood of Teamsters, explored the expanding role of contract maintenance providers in the aviation industry.

While propaganda distributed for the summit had called contract maintenance a "life and death matter", Sarah's input drew attention to the robust safety record of the aviation industry. In the past ten years, network carriers have increased their reliance on contract maintenance from 37 percent to 53 percent. It is no small coincidence that the National Transportation Safety Board (NTSB) revealed that civil aviation safety continued its trend of improving safety numbers in 2006, with general aviation posting its best safety record in the 40 years of NTSB data tracking. "We are in an unprecedented period of safety. We are here because we are committed to continuing this safety record," Sarah stated.

The summit also explored the role of overseas contract maintenance providers in the aviation business community. "Although the location of work may differ, quality does not," Sarah added. While the reputation for quality, safety, and security enjoyed by overseas aviation maintenance entities has been called into question by select interest groups, the "numbers don't lie"—a 2005 survey conducted by ARSA revealed that the average FAA-certificated repair station located abroad is audited more than 74 times each year by a variety of oversight authorities and such stations maintain a strong safety record.

In addition, Sarah echoed ARSA's support for improvement in current oversight mechanisms and urged rational rulemaking by Congress and federal agencies. "Contract maintenance is here to stay...thus concerns have to be carefully vetted and based on analysis."

This summit was the most recent attack on contract maintenance and should serve as a rallying point for ARSA members to fight back against the attempts by organized labor to undercut the truth about the safety and quality of contract maintenance. Get involved—visit <http://www.arsa.org/node/471> to download a letter designed to spur industry action to finally silence unfounded attacks.

## **ARSA Files PMA Complaint with FAA**

On Feb. 29, 2008, ARSA filed a Title 14 CFR part 13 complaint with the Federal Aviation Administration (FAA) against Parker Hannifin Corporation for failing to provide required Instructions for Continued Airworthiness (ICA).

The complaint argues that Parker's failure to provide ICA is contrary to the producer's under 14 CFR § 21.50(b). Under the regulations, as a design approval holder (Part Manufacturer Approval or PMA) Parker is obligated to provide ICA to persons required to comply with the instructions, including repair stations. The complaint is the latest in a series filed with the FAA to press the agency into enforcing its own regulations against manufacturers that continually refuse to provide repair stations with the required ICA. ARSA will keep its members informed of any future developments with this or any of the past ICA complaints the Association has filed.

A copy of ARSA's PMA ICA complaint can be found at

<http://www.arsa.org/files/ARSA-ICA-PMAComplaint-filed.pdf>

## **March**

### **Symposium 2008: You Had To Be There**

The 2008 ARSA Annual Repair Symposium retained its status as the "must attend" event for the international civil aviation industry. From insightful presentations to friendly networking, the Symposium offered a little bit of everything for attendees, and was a resounding success.

The two-day Symposium opened with a panel led by top Federal Aviation Administration (FAA) officials outlining key issues facing the maintenance industry. Flight Services Director Jim Ballough was our keynote speaker, while Aircraft Maintenance Division Manager Carol Giles and Gilles Morin, chief of Aircraft Certification Standards for Transport Canada Civil Aviation contributed to the discourse. Highlights included a discussion of the FAA's oversight role, an update on the FAATCCA bilateral, and a look at safety management systems.

Certification next took center stage, with an in-depth presentation from Dorenda Baker, the deputy director of the FAA Aircraft Certification Service. Baker's discussion included an update on organization delegation authorization and even highlighted AIR final rules published since last year's Symposium.

Input from colleagues the world over remained an integral component of the Symposium agenda. Dr. Hans-Juergen Loss, vice president of quality management for Lufthansa Technik and Warren Chim, general manager of quality at Hong Kong Aircraft Engineering Company led a panel discussion on "easing the pain" of auditing. The presentation included Chim's recounting of his company's efforts in advocating joint audits by civil aviation bodies.

Attendees were also treated to a presentation from the FAA's Aviation Safety Repair Alteration and Fabrication Team (RAFT). RAFT has been working to develop best-practices guidance to help potential revision to Advisory Circular 120-77, "Maintenance and Alteration Data," as well other initiatives impacting 14 CFR parts 43 and 21, respectively.

Beyond the familiar realms of safety and compliance, the Symposium delved into additional topics impacting members' bottom lines. One particular area that piqued the interest of attendees was the world of intellectual property (IP). Mr. Al Givray, partner at Jacobs, Chase, Frick, Kleinkopf & Kelly, LLC, of Denver, Colorado, sought to broaden member understanding of IP risks, particularly when faced with "proprietary" warnings on documents vital to maintenance or alteration.

The annual member luncheon featured former FAA Administrator Marion Blakey as the keynote speaker. Blakey currently serves as president and chief operating officer of the Aerospace Industries Association.

Attendees also heard ARSA President Dave Latimer address the "state of the association", highlighting the many achievements of the past year.

Finally, Symposium attendees were able to take advantage of breakout sessions, hosted by ARSA executive staff members, to catch up on the industry's latest developments, or to brush up on their regulatory knowledge. The 2008 Symposium also featured special sessions on political involvement and public and media relations, a testament to the growing profile of the contract maintenance industry.

ARSA thanks all the sponsors, speakers, members, and staff that maintained the Annual Repair Symposium as a "must attend" event!

## ARSA Sends ICA Complaint Letter to EASA

On March 5, 2008, ARSA sent a letter of complaint to the European Aviation Safety Agency (EASA) on the availability of Instructions for Continued Airworthiness (ICA) or maintenance manuals. The letter follows complaints filed with the Federal Aviation Administration (FAA) against certain manufacturers that have consistently failed to provide ICA to approved maintenance organizations (i.e., repair stations) performing maintenance on their products.

It argues that the manufacturers are not only in violation of FAA regulations, but they are also acting contrary to EASA's regulations since both manufacturers in the FAA complaints are based in the European Union. Therefore, EASA must act on behalf of member States of Design and conduct inspections and investigations to ensure the proper functioning and development of aviation safety, including provision of ICA. ARSA will keep its members informed of any response from EASA on this matter.

A copy of the letter sent to EASA may be found at

<http://www.arsa.org/files/ARSA-EASA-ICA-Complaint-03052008.pdf>

More information on ARSA's ICA actions may be found on our Web site at <http://www.arsa.org/icaaction>.

## April

### Decorative Plating Not Available From Lennox

On April 15, ARSA sent a letter to the Federal Aviation Administration (FAA) requesting clarification of guidance regarding a repair station's ability to contract maintenance functions required to complete a work scope on an entire article under a rating.

The request was prompted by an FAA letter informing a repair station with an airframe rating that it could not place decorative plating on an FAA-approved maintenance functions list without a limited rating for the specialized service of plating. The plating of the articles was not going to be approved for return to service by the repair

station rather the maintenance function was included in the larger work scope accomplished on the entire aircraft. In its letter, ARSA noted that when a repair station approves a work scope for return to service under any rating, it has the privilege of approving any work performed by itself or its contractors as part of that overall work scope (14 CFR § 145.201). This is not equivalent to approving the contracted maintenance function for return to service as a stand-alone maintenance action, which would require the repair station to hold a rating for whatever work was performed by its contractor.

In addition to requesting clarification on the matter, ARSA also requested that the FAA create further guidance to avoid future misunderstandings.

### I Think I Need An Aspirin

On April 28, ARSA sent a letter to the Federal Aviation Administration (FAA) seeking clarification on how the agency treats the creation and refilling of Emergency Medical Kits (EMKs) that are required equipment for air carriers (14 CFR § 121.803). The regulation requires carriers to have "an approved" EMK with specific contents that are "inspected" regularly to ensure continued serviceability.

The confusion arises from a lack of guidance on whether an "approved" kit must be created under the part 21 design and production requirements and whether the "inspection" is considered maintenance (as defined in § 1.1) despite the fact they are performed by flight attendants. The FAA furthers the uncertainty by using the Maintenance Time Limitations Section of the carrier's Operations Specifications (OpsSpecs) to track the EMK's currency.

ARSA recommended the FAA develop a separate OpsSpecs paragraph for all equipment carried aboard an aircraft that needs periodic validation to ensure that the equipment is not subject to the requirements of part 21 and 43. In the alternative, the agency should clarify in the existing OpsSpecs that EMKs are not validated as part of the maintenance program but are tracked only to ensure the contents do not expire.

Finally, ARSA requested confirmation that any person (including a repair station) may create and restock an EMK without having to comply with part 21 or 43. As the manufacturer, this person may also determine the replacement/validation intervals and issue a certificate of conformity as assurance the kit meets the requirements in the carrier's OpsSpecs and is usable for a stated period of time.

A copy of ARSA's letter to the FAA may be found here:

<http://www.arsa.org/files/ARSA-EMKClarificationRequest-04282008.pdf>

## A Repair Station Is A Person Too

In an April 28 letter to the Federal Aviation Administration (FAA), ARSA joined with the National Air Transportation Association (NATA) to express concern that the agency may require part 121 or 135 air carriers to change their General Maintenance Manuals to prohibit certificated repair stations from issuing an airworthiness release or log entry approving aircraft maintenance for return to service.

The concern stemmed from numerous provisions in FAA guidance indicating that only a certificated mechanic or repairman in an individual capacity could make entries approving maintenance on part 121 or 135 aircraft for return to service.

The Associations pointed out that the FAA's guidance improperly limited the definition of "person" to individuals not corporations or companies as is stated in the actual regulation. Further §§ 43.3, 43.7 and 145.201(a) allow a repair station to perform and approve maintenance, preventive maintenance and alterations for return to service under its certificate and ratings.

While the person that signs the airworthiness release/log entry must be appropriately qualified and authorized (including certification under part 65), that requirement does not preclude a properly rated repair station from preparing the document and approving the maintenance, preventive maintenance or alterations performed on the carrier's aircraft for return to service.

ARSA and NATA requested that the agency's guidance be updated to reflect this reality and provide it with the suggested language.

Click here to view the letter and suggested guidance language:

<http://www.arsa.org/files/ARSARSA-NATA-135-443andRepairStations-04282008.pdf>

## May

### Satisfaction Guaranteed, We are the World and D&A Rule Has Negative Impact

The 2008 Member Survey yielded important information about priorities, satisfaction, and provided critical data to support ARSA's regulatory compliance initiatives and lobbying efforts on Capitol Hill.

Key findings:

- The technician shortage continues to plague the industry, with 81 percent of respondents reporting trouble finding skilled workers in the last two years.
- International customers are an important source of revenue, with 73 percent of U.S. based respondents reporting revenues from European customers, 58 percent from Canadian customers, and 53 percent from customers in the Asia/Pacific region. 18 percent of U.S.-based respondents derived more than 50 percent of their revenues from foreign customers.
- Respondents are generally positive about the near-term economic outlook, although not as upbeat as last year. Seventy-one percent of the respondents to this year's survey said they were optimistic about business prospects in 2008. By comparison, in 2007, 83 percent of survey respondents reported being optimistic about the year ahead.
- Seventy-two percent of respondents plan to add positions and/or hire new employees in the year ahead (compared with 71 percent of our 2007 survey respondents). Only one percent of plan to eliminate positions and/or lay off workers this year.
- Commercial air carriers are by far the most important customers, with business aviation second, and the military third. These findings support ARSA's ongoing efforts to protect the right of airlines to use contract maintenance and the association's lobbying to repeal the withholding tax on government contractors set to go into effect in 2011.
- The survey results support the assertion that there is a high level of oversight of repair stations both internally by ARSA members' own quality assurance personnel, and externally by regulators, customers, and third-party accreditation bodies. Forty-seven percent of respondents reported more than ten external audits in 2007 and 48 percent of survey respondents reported conducting more than ten internal audits.
- One-quarter (25 percent) of respondents said that delays resulting from inadequate FAA staffing (delays in processing an application for a new certificate, changes in operations specifications or capabilities, obtaining data approval, etc.) caused them to lose a customer or otherwise forego a business opportunity in the past two years. ARSA is lobbying hard to ensure adequate FAA resources.

- Legislation pending on Capitol Hill will force the FAA to conduct on-site inspections of overseas part 145 certificate holders, further straining FAA's limited resources. The European Aviation Safety Agency (EASA) will likely be forced to conduct on-site inspections in the United States. The costs of these inspections will be passed on to U.S.-based EASA 145 approval holders. More than four-fifths (82 percent) of survey respondents said that this scenario would have at least some impact on their companies, with close to one-third (31 percent) saying that the impact would be major and that the legislation would "greatly undermine" their ability to service international customers. Two percent of the survey respondents said that the proposal would threaten their ability to stay in business.
- More than one-third (35 percent) of U.S.-based survey respondents said that they have lost contractors as a result of the FAA's new D&A rule (e.g., because the contractor(s) did not implement a DOT D&A program). The overwhelming majority of survey respondents who said they had lost contractors because of the new D&A rules (81 percent) were small companies with less than \$21.5 million in annual revenues.
- Eighty-four percent of survey respondents do not think that media coverage of our industry is fair and objective. However, asked about their efforts to engage the media, more than half (54 percent) of survey respondents said that their companies have never issued a press release and more than a third (34 percent) said that their company issues press releases fewer than ten times per year.
- ARSA members are apparently very satisfied with their association membership. On a scale of one to five (one meaning "not at all satisfied" and five meaning "very satisfied"), the average satisfaction score was a 4.2. Close to half (42 percent) rated their satisfaction as a "five".
- Survey respondents regard ARSA's regulatory advocacy with the FAA and lobbying on Capitol Hill to be the first and second most important member benefits; the hotline and ARSA's regulatory compliance assistance were a close third and fourth.
- Seventy-seven percent of respondents said that they read the hotline every month, and close to half of respondents (43 percent) said they read each issue cover to cover.

Thanks to all the ARSA members who participated in the survey. You have helped us ensure that we're focusing our resources on the right issues and given us valuable data to use in our many efforts on your behalf.

## EASA Clarifies ICA Complaint Requirements

On May 30, 2008, ARSA received a response to its request to the European Aviation Safety Agency (EASA) for enforcement of the regulation regarding type certificate (TC) holders' duty to provide instructions for continued airworthiness (ICAs) to repair stations. EASA's letter acknowledged that TC holders must provide ICAs to persons required to comply with them, including repair stations holding EASA approvals, it stopped short of taking any action against the TC holders (i.e., Rolls Royce and Airbus).

The agency reasoned that despite the Association's documented evidence of repeated requests and the TC holder's outright denials of ICA, the member repair stations still did not show that the instructions were not available to the extent approved by EASA. Further, EASA reasoned that the complaint did not demonstrate that absolutely no agreement could be reached between the parties. ARSA plans to respond with appropriate information and will keep its members informed of future developments.

A copy of EASA's response letter may be found here:

<http://www.arsa.org/files/EASA-ICACmpltResp-05302008.pdf>

To read a copy of ARSA's complaint to EASA go to:

<http://www.arsa.org/files/ARSA-EASA-ICA-Complaint-03052008.pdf>

## June

### ARSA Publications—Look What's New!

ARSA is continuously working to provide the best information to its members. One method is the creation of publications devoted to keeping you in compliance with the regulations. To that end, we now have three new compendiums to assist you:

- **Employment Law Compendium:** This compendium covers such topics as the I-9 Form, Employee Lawsuits, Unemployment Claims, Whistleblower Laws and other issues dealing with how to negotiate the world of employment law.
- **Export Compliance Compendium:** Learn about Best Practices for Export Compliance, Commercial, Dual Use or Military Exports, Dangerous Myths about U.S. Export Control, Export Management Systems (EMS) and other topics to assist you with Export Compliance laws.

- And, by popular demand—**Legal Briefs Compendium, Part 2**: Much like the original, this new compilation of Legal Briefs provides essential material on how to keep your company in compliance with everything from recordkeeping, the FAA's drug and alcohol rule, to creating and using electronic manuals and much more.

We also offer a wide variety of other publications to assist your company:

- Model Repair Station and Quality Manual with Integrated Forms Manual
- Human Factors Training Program Materials
- U.S.—Canada Maintenance Implementation Procedures Publications
- Model Training Program Workbook with Manual Template
- Legal Briefs Compendium—Part 1

Don't waste a minute—order one of ARSA's publications and give yourself the peace of mind!

To learn more about ARSA's publications, please visit <http://www.arsa.org/ARSA/Publications>

To purchase a publication, go to <http://www.arsa.org/PublicationOrderForm>

**Members receive substantial discounts** on the price of all ARSA publications!

## July

### **ARSA Leads Industry Effort to Spur Capitol Hill Action**

On July 8, an ARSA-led coalition of aviation industry representatives sent a letter urging Members of Congress to prevent the industry from suffering punishment due to inaction by the Transportation Security Administration (TSA).

Section 1616 of the "9/11 Commission Recommendation Act of 2007" (P.L. 110-53) and Sec. 611 of VISION 100 (the 2003 Federal Aviation Administration (FAA) reauthorization law) (P.L. 108-176) required the TSA to promulgate repair station security rules. Under those laws, if the TSA does not issue a final rule by Aug. 3, 2008, the FAA will be prohibited from issuing new certificates to foreign repair stations. Although there is an exception for certificate renewals and applications in process, the law will have unintended and negative consequences for U.S. companies seeking to expand operations overseas.

On May 13, TSA Administrator Kip Hawley testified before the Senate Commerce, Science and Transportation Committee that a final rule will not be issued by the Aug. 3, 2008 deadline. Indeed, it appears that the TSA will be hard pressed to issue a Notice of Proposed Rulemaking by that date.

Presented with this fact, ARSA turned its attention to Capitol Hill and, via the letter, sought to bring attention to the punishment looming over the aviation industry. The letter emphasized the important role of foreign repair stations in all aspects of the aviation industry, underscoring the fact that a freeze on foreign repair stations will create negative effects on the aviation community in the U.S. In addition, the letter questioned the logic of punishing private industry for the failings of a government agency.

This letter follows one previously sent by ARSA to TSA Administrator Kip Hawley exhorting the agency to meet the deadline for the final rule.

ARSA thanks those organizations lending support to this effort.

In addition to orchestrating this effort, ARSA has continued to lead the charge in meeting with Hill staff to maintain the focus on the issue.

ARSA's letter may be found at [http://www.arsa.org/files/TSA\\_SecurityRules\\_Final.pdf](http://www.arsa.org/files/TSA_SecurityRules_Final.pdf)

### **ARSA sends FAA Suggested Documents on Maintenance and/or Alteration Specifications**

On July 28, ARSA sent the Federal Aviation Administration (FAA) two documents for the agency's consideration addressing the use of maintenance and/or alteration specifications. ARSA suggested changes to Order 8300.14, "Repair Specification Approval Procedures", which was previously issued in December 2007 but is currently pending implementation due to further consideration by the FAA. In addition, ARSA drafted an Advisory Circular (AC) providing guidance on development and approval of maintenance and/or alteration specifications.

ARSA submitted the documents to the FAA with the goal of providing:

- An acceptable method for certificated maintenance providers to develop maintenance and/or alteration methods, techniques and practices that differ from or are in addition to those provided by design approval holders. The ability to develop these instructions is set forth in 14 CFR § 43.13(a) (i.e., "other methods, techniques and practices acceptable to the FAA.")

- An acceptable method for ensuring that the application of the developed specification returns the article at least its original or properly altered condition as required by 14 CFR § 43.13(b).
- An acceptable method for ensuring that the technical data supporting specifications resulting in major repairs or major alterations are approved.
- Guidance to the FAA workforce on how to—
  - o Review maintenance or alteration specifications;
  - o Determine when specifications need to be supported by approved technical data;
  - o Approve the technical data through the Aircraft Certification Office or appropriately authorized designees; and,
  - o Evaluate certificate holders' use of specifications.

ARSA encourages members to review the documents to ensure a proper representation of industry best practices.

If you would like to comment on these documents, please contact ARSA Executive Director Sarah MacLeod at [sarahsays@arsa.org](mailto:sarahsays@arsa.org).

A copy of ARSA's draft AC may be found at

<http://www.arsa.org/files/DRAFT-AC-MaintenanceAlterationSpecifications-07272008-3.pdf>

A copy of the ARSA's draft Order may be found at:

<http://www.arsa.org/files/DRAFT-Order8300-14-07272008-3.pdf>

## August

### ARSA Member Contributes Its "Two Cents"

In an April 28 letter to the Federal Aviation Administration (FAA), ARSA joined with the National Air Transportation Association (NATA) to express concern that the agency may require part 121 or 135 air carriers to change their General Maintenance Manuals to prohibit certificated repair stations from issuing an airworthiness release or log entry approving aircraft maintenance for return to service.

This month, MidCoast Aviation, a member of both ARSA and NATA, echoed the associations' call for clarification, stating that while an individual signs an approval for return to service, it cannot be separated from the repair station.

The concern stemmed from numerous provisions in FAA guidance indicating that only a certificated mechanic or repairman in an individual capacity could make entries approving maintenance on part 121 or 135 aircraft for return to service.

MidCoast requested a legal clarification, while ARSA and NATA requested that the agency's guidance be updated.

Read the ARSA/NATA letter at:

<http://www.arsa.org/files/ARSARSA-NATA-135-443andRepairStations-04282008.pdf>

### ARSA Seeks Methodology for Line Maintenance Carrier Listing

On Aug. 7 ARSA sent a letter to the Federal Aviation Administration (FAA), Transport Canada Civil Aviation (TCCA) and the European Aviation Safety Agency (EASA) requesting the agencies to provide a methodology for listing the air carriers for which certificated repair stations perform line maintenance in the U.S.

The FAA, TCCA and EASA each handle line maintenance in slightly different manners. Each authority also has differing agreements among and between themselves that account for those regulatory differences.

Unlike Europe and Canada, the FAA does not issue a "line maintenance" rating and the authority set forth in paragraph D107 in the Operations Specifications (OpsSpecs) is limited to the listed air carriers. Therefore, if a U.S. repair station works on a Canadian or EU-registered aircraft at a location not listed in the FAA-issued repair station certificate (which includes the OpsSpecs), it is technically working outside its ratings and authority.

ARSA's letter provides potential solutions that establish an understanding of how each authority wishes a repair station with a line maintenance authorization or rating to record work it performs for air carriers under the other authorities' jurisdiction.

Read ARSA's letter to the FAA here:

<http://www.arsa.org/files/ARSA-LineMaintenance-FAA-TCCA-EASA-08112008.pdf>

## **ARSA Seeks Repairman Certification Clarification**

On Aug. 11, ARSA sent a letter to the Federal Aviation Administration (FAA) regarding an issue of ongoing interest—the current prohibition in Flight Standards Information Management System (FSIMS) paragraph 5-1193C.1 forbidding a repairman certificate from being issued for an "airframe and/or powerplant rating".

ARSA previously contacted the FAA on the issue in November 2007, posing that the prohibition likely emanates from a misunderstanding of the term airman and the unsupported contention that a repairman certificate is an unfit substitute for a mechanic certificate.

After receiving a reply from the FAA that did not fully address the Association's concerns, ARSA sent this second letter in an effort to ensure that appropriately qualified persons may be certificated as required by part 145 to perform certain job functions.

In addition, ARSA supplied the FAA with a rewrite of Order 8900.1 that fully explains the need and requirements for repairman certificates and provides direction on the appropriate method for issuing such certificates.

To read ARSA's original letter visit: <http://www.arsa.org/files/ARSA-RepairmanCertificates-11212007.pdf>

The FAA's first response may be found at: <http://www.arsa.org/files/FAA-Response-RepairmanCertificates.pdf>

ARSA's follow up letter is available here:

<http://www.arsa.org/filesARSA-Second-RepairmanCertificatesLetter-08072008.pdf>

ARSA's suggested rewrite of Order 8900.1 regarding issuance of repairman certificates is located at:

<http://www.arsa.org/files/FSIMS-RepairmanCertification-ARSARecommendedChanges-08072008.pdf>

## **September**

### **TIMCO Employee Runs Gauntlet by Interning at ARSA**

ARSA reluctantly let Bob Mabe, its intern from Association member TIMCO, return to his "real" job. Bob worked on special assignment to the Association for 90 days learning to research regulations, answering member questions, organizing the forthcoming on-line training classes and developing a streamlined maintenance error reporting system for line, hangar and shop maintenance personnel. The latter project will be completed and alpha tested by the same member who was kind enough to allow its employee to experience the wide range of regulatory and legislative activities offered at ARSA. In addition to the regulatory work, Bob was able to attend a congressional hearing, visit his representative's office on Capitol Hill and become a valuable member of the ARSA team.

Interested in expanding your employee's experiences? Contact the Association about intern possibilities at [arsa@arsa.org](mailto:arsa@arsa.org).

### **Support for a "Mechanic's Mechanic"**

Many of our members surely remember Bill O'Brien. He was a long time employee of the Federal Aviation Administration (FAA) who devoted his career to the aviation maintenance industry and the thousands of individuals that contribute to its success. During his accomplished career with the FAA, he created the Charles Taylor Master Mechanic Award, which honors individuals with 50 years of service in the aviation maintenance field, worked toward increasing educational opportunities for the mechanic workforce, and contributed generously to the overall growth of the industry.

It is with a great sadness that ARSA reports that Bill is currently hospitalized and facing a tough fight toward recovery. ARSA encourages its members to keep Bill in your prayers and to send him a card showing your support for an individual that is truly a "mechanic's mechanic."

Get well soon Bill!

Cards can be addressed to:

Mr. Bill O'Brien  
12508 Lt. Nichols Road  
Fairfax, VA 22033-2412

## October

### Here's How to Handle Line Maintenance

ARSA recently sent a letter to the Federal Aviation Administration (FAA), European Aviation Safety Agency (EASA), and Transport Canada Civil Aviation (TCCA) requesting these authorities provide a mutually satisfactory methodology for listing air carriers, including foreign carriers, for which certificated repair stations perform line maintenance in the U.S.

The Association pointed out that all three agencies handle the line maintenance authority differently, with EASA and TCCA issuing line maintenance ratings and the FAA issuing paragraph D107, Line Maintenance Authorization, to a repair station's Operations Specifications.

ARSA offered solutions to help avoid confusion and the possibility of a U.S. repair station working outside its ratings when performing line maintenance for a Canadian or European carrier. The Association received a response from the FAA clarifying the rationale behind the current use of paragraph D107, and the differences in the treatment of line maintenance in the various bilateral agreements between the U.S., Canada and the EU.

A copy of ARSA's letter to EASA, TCCA and the FAA may be found at:

<http://www.arsa.org/files/ARSA-LineMaintenance-FAA-TCCA-EASA-08112008.pdf>

A copy of the FAA's response may be found here:

<http://www.arsa.org/files/FAA-ARSA-D107-Response-10082008.pdf>

## November

### ARSA Seeks Drug and Alcohol Exemption

On Nov. 6, ARSA submitted a Petition for Exemption from Title 14 CFR part 121, appendices I & J, Anti-Drug and Alcohol (D&A) Misuse Prevention Programs, to the Federal Aviation Administration (FAA) on behalf of its members. The petition stems from an Airworthiness Directive (AD 93-05-16) that requires operators or maintenance facilities to send components back to a manufacturer for performance of an alteration.

The manufacturer listed in the AD, however, does not have its own D&A program as it is only permitted to rebuild or alter its own articles. The Association points out that since the FAA has not issued definitive guidance on whether alterations are considered "safety-sensitive functions", covered employers must follow an AD that forces them into a possible regulatory violation for contracting work to a facility whose workers are not covered by a DOT-sanctioned program.

As a result, ARSA asked for an exemption from the D&A program requirements for the following persons:

- Covered employers using the manufacturer to complete AD 93-05-16;
- Companies called out to perform required work in an AD that do not have an existing D&A program; and,
- All entities performing alterations for a covered employer.

ARSA will update members at developments occur.

The Petition for Exemption may be found at: <http://www.arsa.org/files/ARSA-DA-Exemption-Final-11212008.pdf>

### ARSA Responds to EASA ICA Letter

On Nov. 6, ARSA sent a letter to the European Aviation Safety Agency (EASA) rebutting the agency's position on type-certificate (TC) holders' provision of Instructions for Continued Airworthiness (ICA) to repair stations. On May 30, 2008, EASA declined to take action on ARSA's complaint on certain TC holders' refusal to supply its members with maintenance manuals based on the contention that the component maintenance manuals (CMM) requested were not part of the complete ICA package.

ARSA's rebuttal pointed out that EASA's own regulations show that CMMs are indeed part of the complete ICA package - the CMM sought from the design approval holder is specifically referenced in the aircraft level ICA. Therefore, under even the most restrictive interpretation of the regulations the CMM must still be made available, and that another TC holder removed repair methods from its engine ICAs that are specifically required to be included based on the plain language of the regulations.

A copy of ARSA's rebuttal letter may be found at:

<http://www.arsa.org/files/ARSA-EASA-ICA-ComplaintRebuttal-11062006-Secure.pdf>

A full history of ARSA's ICA efforts may be found at [www.arsa.org/icaaction](http://www.arsa.org/icaaction)

## ARSA Engine Survey

In December, ARSA began a survey of Part 145 repair stations to develop information about engine manufacturer business and contracting practices.

The results of this anonymous survey will be shared with lawmakers, regulators, and the media to help them better understand the business realities of the aviation maintenance industry. In addition, the survey will aid the Association's ongoing efforts regarding availability of Instructions for Continued Airworthiness (ICA).

If you have been contacted to take part in this survey, please submit your responses before 5:00 p.m. EST, Dec. 12th.

Thanks for your assistance!

## December

### ARSA Weighs In On Pressure Cylinders

On Dec. 19, ARSA sent a letter to the Federal Aviation Administration (FAA) requesting resolution of an issue facing repair stations performing maintenance on pressure cylinders that includes hydrostatic testing.

ARSA requested the FAA officially allow repair stations with 49 CFR § 107.805 approval to obtain a limited rating for accessories to perform maintenance on pressure cylinders in accordance with 49 CFR § 180.205. This is the best method to ensure that these facilities are not operating in violation of their certificate and performing proper maintenance in accordance with 14 CFR part 43. It also allows operators to legally install the pressure cylinders that are requalified at repair stations.

Finally, the rating imposes no additional burden on the FAA, as it simply recognizes an approval for which Pipeline and Hazardous Materials Safety Administration provides initial certification and continued surveillance.

ARSA's letter may be found at:

<http://www.arsa.org/files/ARSA-FAA-43v49Clarification-Final.pdf>

### Help ARSA Fight For Your Industry

The new political landscape in the nation's capital poses enormous threats to the contract aviation maintenance industry and your company.

In recent years, opponents of repair stations have convinced lawmakers that the work you do threatens the safety and security of civil aviation. Those negative messages have taken hold in Washington, DC, particularly with Democratic members of Congress.

Pending legislation will make it harder for U.S. air carriers to use overseas repair stations and will likely result in retaliation by foreign governments that will make it more difficult – and expensive – for U.S. companies to serve international customers. The harmful legislation has support among key Democratic leaders, and President-elect Barack Obama is a primary co-sponsor of the bill. (For more detail on these legislative efforts, please visit <http://www.arsa.org/KnowTheIssues>).

Indeed, a Nov. 16 Atlanta Journal Constitution article discussed the targeted effort by a select few in Washington, D.C. (including President-elect Obama) to undermine industry expansion (the article is available at [http://www.ajc.com/services/content/business/delta/stories/2008/11/16/airline\\_outsourcing.html](http://www.ajc.com/services/content/business/delta/stories/2008/11/16/airline_outsourcing.html)).

The good news is that ARSA isn't taking the threat sitting down. We're stepping up our advocacy on behalf of the maintenance industry, but we need your support.

ARSA has launched the first phase of an "inside the Beltway" Positive Publicity Campaign (PPC) to tell the story of the tremendous gains in aviation safety that have coincided with the increased use of contract maintenance.

At a recent strategic leadership conference held by ARSA, there was a clear consensus among top executives that our industry needs to more aggressively communicate positive messages about contract maintenance to decision makers. As one speaker put it, if we don't define ourselves, others will. We have a great story and we need to tell it.

ARSA is now raising money to support Phase One of our PPC. We need to raise \$70,000 to fund opinion research to determine where the industry stands with the public at large and with decision makers in Washington, DC.

The results will define the scope of our public relations activities, shape our messages, and produce a coordinated and effective campaign.

To hit the ground running with the next Congress in January, we're asking for your commitment as soon as possible.

For more information about ARSA's industry PPC, please contact ARSA Executive Vice President Christian Klein <[cklein@arsa.org](mailto:cklein@arsa.org)>.

To pledge your support, go to <http://www.arsa.org/files/PPCPhase1ContributionForm.pdf>.

P.S. - Even with your contributions, ARSA isn't going to be able to singlehandedly change public opinion. Your company needs to do its part. As an example, Iberia Maintenance issued a press release celebrating 10 years of quality partnership with Chinese maintenance facilities. What is your company doing to help change your industry's image?

Thank You!

Thanks to these companies who have generously given to ARSA's Positive Publicity Campaign:

- AAR Corporation
- Aircraft Electric Motors
- Atlas Air Worldwide Holdings
- EB Airfoils, LLC
- Genesis Aviation
- HEICO Aerospace Corporation
- Lufthansa Technik AG
- MTU Maintenance Hannover GmbH
- NORDAM
- San Antonio Aerospace
- Southwest Airlines
- Taikoo (XMN) Aircraft Engineering Co.
- TAP Maintenance & Engineering
- Texas Pneumatic Systems, Inc.
- TIMCO – Greensboro