Air Transport Association

February 12, 2001

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street, SW.
Washington, DC 20590-0001

Subject: Docket No. FAA-2000-8460, re: **Standard Provisions of Airworthiness Directives**, 66 Fed. Reg., Vol. 9, January 12, 2001

Ladies/Gentlemen:

FAA has proposed to remove from Airworthiness Directives (ADs) standard provisions that typically apply to ADs, and relocate them to FAR 39. If the proposal is adopted, individual ADs would no longer include these standard provisions. However, the provisions would still apply. Interested parties could refer to FAR 39 to review the provisions.

Member airlines of the Air Transport Association provided comments to the proposal, which are attached. Operators do not object to the intent of the proposal, however, they have provided comments regarding the wording of several specific provisions. Comments include recommendations to: 1) clarify the requirements of Sub-Part 39.15 regarding the applicability statement in ADs; 2) revise Sub-Part 39.17 to reflect existing regulations regarding the submission of requests to Aircraft Certification Offices; 3) revise Sub-Part 39.21 to address flights permitted under the existing regulations of Sub-Part 21.197; 4) place the effective date of the AD and a summary of termination provisions on the first page of the document; and 5) retain the use of the term "Alternate Means of Compliance" in Sub-Parts 39.15 and 39.17.

We appreciate the opportunity to contribute comments to this rulemaking and thank you for your consideration of these views.

Sincerely,

Joe White
Director, Aircraft Systems Engineering

Air Transport Association of America, Inc.
1301 Pennsylvania Ave., NW – Suite 1100 Washington, DC 20004-1707
(202) 626-4000

Cc: Donald Byrne, AGC-200, 202-267-2757
AEC, ACCSC, PSC, All Operators (AD)

Attachments

01AE007.rtf

From: Sandy Burgess [via e-mail]

Sent: Friday, February 02, 2001 10:35 AM
To: White, Joe

Cc: Gerry Burns; Harry Demarest; Janice Tedford; Lisa Gibbs; Marilyn King; Mark Boes; Mike Keller; Pat Hawley; Ray E Morgan; Rick Hardmeyer; Rick Yorman; William Bartelt; Bill Detamore

Subject: NPRM MEMO NO 2001-AE-007 DATED January 15, 2001

ATTENTION: Joe White

Reference: NPRM Memo No 2001-AE-007 Dated January 15, 2001

Subject: Standard Provisions of Airworthiness Directives

American Airlines has the following comments on the proposed FAR Part 39 revisions:

1.) The first sentence in the revised Sub-Part 39.15 is confusing and does not answer the question clearly. It states that "an airworthiness directive (AD) applies to each product identified in the AD, so the affected products aren't listed in the AD." That implies that it will not list the airframe or component in the AD that the AD is supposed to cover.

2.) Sub-Part 39.17 states " At the same time, if you are an operator, provide a copy to your assigned FAA principal or aviation safety inspector." This is not in the same manner as the current provision. The current provision calls out for an operator to submit their requests through an appropriate FAA principal maintenance inspector, who may add comments and then send it to the manager of the ACO.

3.) Sub-Part 39.21 states that "unless the AD states otherwise, the FAA may issue you a special flight permit to fly the aircraft" to the place where you can accomplish the AD. It does not take into account operators that have a flight permit with continuing operation as permitted in Sub-Part 21.197. The current statement implies that the FAA must approve each flight permit. This should be corrected to read "the FAA may issue you a special flight permit or you may use your flight permit with continuing operation to fly the aircraft" to the location where the AD requirments will be met.

Regards,

T. Degner
Director Aircraft Engineering
American Airlines

From: Warshauer, Edward [via e-mail]

Sent: Tuesday, January 23, 2001 10:40 AM

To: White, Joe

Subject: RE: ATA Memo 01-AE-007, Standard Provisions of Airworthiness Directives - Proposed Rule

In review of FAA proposed rule (Part 39- Airworthiness directives Docket No. 2000-8460) Section 39.21 refers to ferry flight permits that may be obtained to operate aircraft to a repair facility. Our question is: will ADs still include verbiage to operate aircraft for maintenance under a continuous ferry program (reference 14CFR 21.197 and 21.199)

From: Fields, Sue L. [via e-mail]

Sent: Tuesday, February 06, 2001 2:00 PM

To: White, Joe

Subject: Response to ATA Memo 01-AE-007

TWA has no objection to the proposed NPRM. We have periodically requested of the FAA to focus on the service difficulty and unsafe conditions and corrective actions, rather than the standard provisions of the ADs. We highly endorse the changes proposed in the NPRM. We support its intent to make the ADs easier for readers to use and to comply with its requirements. We would also like to see that the amendment effective date and termination requirements be noted on the front page rather than in the back pages of the text.

We noticed in the "plain language" issue that the term "Alternate Means of Compliance" (AMOC) was lost. We would like to retain this language in paragraphs 39.15 and 39.17.

Trans World Airlines, Inc.
G. G. Gibson, Director
Government & Industry Liaison