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FAA-99-5401-47

Date: 8/3/99 8:50 AM
Sender: "Johnson Bob" <Bob.Johnson@Delta-Air.Com>
To: 9-NPRM-CMTS
Priority: Normal
Subject: FW: NPRM Comments

My apologies for the incorrect address.

> -----
> From: Johnson, Bob
> Sent: Monday, August 02, 1999 4:59 PM
> To: '9-NPRM-CMS@faa.gov'
> Subject: NPRM Comments

> <<AgingFARltr.doc>>
> The Attached NPRM Comments are for Docket No. FAA-1999-5401; Notice No.
> 99-02 RIN 2120-AE42, Aging Airplane Safety.

> Bob Johnson
> Program Manager
> AD/Regulatory Compliance
>



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OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

(E-Mail and Regular Mail)

August 2, 1999

U.S. Department of Transportation Dockets
Attention: Rules Docket No. FAA- 1999-540 1
400 Seventh Street, SW
Room Plaza 401
Washington, DC 20590

Subject: Notice of Proposed Rulemaking, Aging Airplane Safety, 64 Federal Register, 16298,
April 2, 1999

Ladies/Gentlemen:

FAA has issued a Notice of Proposed Rulemaking, which, if adopted, would require all airplanes operated under part 121 of Title 14, Code of Federal Regulations (14 CFR), all U.S. registered multiengine airplanes operated under 14 CFR part 129, and all multiengine airplanes used in scheduled operations under 14 CFR part 135 to undergo records reviews and inspections by the Administrator after their 14th years in service to ensure that the maintenance of these airplanes' age sensitive parts and components has been adequate and timely.

Delta is opposed to this rule for the following reasons. Specifically, in its current form, the proposal attempts to address aircraft inspections and record reviews for all Federal Air Regulation (FAR) part 121, 129, and 135 airplanes with one broad brush stroke, as though widely differing aircraft types with dissimilar FAA approved maintenance program requirements utilized in very different types of operations were on a level playing field. Under normal conditions where inspection programs have not been introduced to assure the integrity of aging airplanes, combining every airplane type into one rule would be ideal. Large transport category airplanes over 75,000 pounds; however, have undergone significant initiatives, many by airworthiness directive (AD), incorporating mandatory structural modifications of older aircraft, Corrosion Prevention and Control Programs, implementation of damage tolerance based supplemental inspections of PSE's, development of programs to inspect or modify structure susceptible to widespread fatigue, and damage tolerance assessment of existing repairs. Additional FARs in areas already addressed by airworthiness directives will provide no increased level of safety. Additionally, adoption of this proposal appears to violate the intent of Executive Order 12866 dated October 4, 1993, which guides each Federal Agency to avoid regulations that are "inconsistent, incompatible or duplicative with its other regulations or those of other Federal Agencies".

In terms of the proposed aircraft inspection and record reviews, Delta's economic analysis of the effect of a five year fixed interval "on-airplane" inspection with extensive open up results in an increased maintenance expense of four hundred and four million dollars, (\$ 404,000,000.) for Delta's fleet alone. This is far and above the FAA's estimate for a total industry cost of twenty nine million dollars (\$29,000,000.). This level of increased expense to operators will have an

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appreciable affect on future airline passenger travel costs while providing no improvement in the level of passenger safety for Part 121 operators,

As such, it is recommended that large transport category airplanes over 75,000 pounds be removed from the final rule. As an alternative, it is recommended that the final rule specifically indicate that incorporation of aging airplane airworthiness directives as well as specific industry initiatives be acceptable for compliance with the provisions of the rule.

Thank you for your consideration of these views.

Sincerely,

Original Signed by
Doug Dean (for)

Richard Reagan
Manager - Regulatory Compliance, Dept. 595