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**Priority:** Normal  
**Subject:** Comment to Docket No. 28293

FAA 2000-7952-29

HAI's comment to Docket No. 28293 is attached in Microfost Word format.  
If you have any comments or questions, please contact:

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Thank you.



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May 28, 1999

Federal Aviation Administration  
Office of the Chief Counsel  
ATTN: Rules Docket (AGC-200)  
Docket No. 28293  
Room 915G  
800 Independence Ave SW  
Washington DC 20591

**By Email: 9-NPRM-CMTS@faa.gov**

Re: *"Service Difficulty Reports: Proposed Rule," 64 Fed. Reg. 18765 (April 15, 1999),  
Docket No. 28293*

Dear Madam Administrator:

Helicopter Association International (HAI) submits the comment in response to "Service Difficulty Reports: Proposed Rule," 64 Fed. Reg. 18765 (April 15, 1999), Docket No. 28293 (hereinafter the "SNPRM"). Helicopter Association International (HAI) is a non-profit, professional trade association of over 1,400 member organizations. Since 1948, HAI has been dedicated to promoting the helicopter as a safe and efficient method of transportation, and to the advancement of the civil helicopter industry.

Several provisions in the SNPRM cause HAI concern. These are:

- Proposed §§ 135.416(a)(1) and (a)(2): These provisions would require reports of "corrosion, cracks, or disbonding" that either "requires replacement of the affected part" or "requires rework or blendout because the corrosion, cracks, or disbonding exceeds the manufacturer's established allowable damage limits." Several of HAI's operator-members have stated that these provisions will prove unduly burdensome in certain environments, particularly in the Gulf of Mexico, where salt air contributes to corrosion that develops more rapidly than in non-oceanic operational environments. In such environments, operators put in place inspection and maintenance procedures sufficient to meet the need; these anti-corrosion programs are labor-intensive, however, and the additional labor requirements imposed by the proposed broadened reporting requirements may have a disproportionately negative economic impact on these operators. The additional burden on rotorcraft operators is not justified.

Dedicated to the advancement of the civil helicopter industry

HAI believes that, as regards rotorcraft, aviation safety is adequately addressed under proposed §§ 135.416(a)(3) and (a)(4), which require reports of "cracks, fractures, or disbonding in a composite structure that the equipment manufacturer has designated as a primary structure or a principal structural element" and "Failures or defects repaired in accordance with approved data not contained in the manufacturer's maintenance manual." In light of these reasonable requirements, proposed §§ 135.416(a)(1) and (a)(2) are superfluous from a safety perspective, and unduly burdensome from an economic perspective. HAI urges FAA to delete proposed §§ 135.416(a)(1) and (a)(2) from the final rule.

- **Proposed §§ 135.415(g), 135.416(f), 145.63(d) and 145.79(e):** These provisions permit certificated domestic and foreign repair stations to submit required service difficulty reports (SDRs), but do not require them to do so. Rather, the burden remains with the operator to submit the required reports or to supervise the efforts of repair stations to do so.

HAI believes that this allocation of responsibility is inappropriate. Although operational regulations make it clear that the pilot is the final authority as to the airworthiness of the aircraft, *14 CFR § 91.3(a)*, and the operator is responsible for the completeness and accuracy of maintenance records, *14 CFR § 135.413(a)*, allocation of the burden to prepare and file SDRs as proposed in the SNPRM invites both confusion and needless duplication of effort.

HAI believes that operators reasonably expect certificated repair stations to complete necessary maintenance records, including required reports, in an efficient and professional manner. While it may be appropriate to encourage operators to review maintenance records for completeness, it is unrealistic and unfair to impose on operators liability in the event that a repair station fails to report information that is, in practical terms, known to the repair station in the first instance and known to the operator only by hearsay. These proposed regulations should be revised to provide that the repair station "shall submit a Service Difficulty Report" as provided in appropriate sections of 14 CFR part 135, and that the operator's duty in such an instance is merely to review the SDR submitted by the repair station for apparent completeness. In this review, the operator should be held to a duty of reasonable care in light of the facts and circumstances of the event being reported.

- **Maintenance Malfunction Information Report (MMIR):** Assuming that the ameliorations proposed in this comment are adopted by FAA, the reporting requirements proposed in the SNPRM will remain burdensome for industry. HAI would like to draw attention to the Maintenance Malfunction Information Report (MMIR) system as a method of reducing this burden to a practical minimum. MMIR is a computer based, Internet-facilitated system of accumulating SDR information in an efficient and relatively easy manner, and of transmitting it to interested responsible parties. MMIR has great potential to assist in the SDR reporting process. A brief description follows.

Early identification of potential failures of aircraft components can provide significant positive benefits to the aviation industry and the general public. MMIR, using proven computer technology, is intended to simplify the SDR reporting process by combining SDR and warranty claim reports, simplifying the process of submitting reports for both warranty claims and SDR purposes.

Starting in 1984, FAA and HAI developed a paper-based unified report form that quickly won acceptance within industry as a significant enhancement in reporting efficiency, and which was accepted by the Administrator for filing Service Difficulty Reports. Together with FAA, HAI has continuously improved the MMIR system. Now, 15 years later, MMIR has evolved into a computer-based information collection and distribution system. Users file data electronically to a service bureau computer maintained by HAI. There, the data are formatted, archived, and automatically reported to FAA for SDR purposes, to the appropriate manufacturers for trend analysis and other purposes, and to the appropriate claims processors for warranty and other claims purposes.

Recently, HAI and BFGoodrich Aerospace (BFG) began cooperating to develop a system to link MMIR with BFG's on-board Condition Monitoring System (CMS), an advanced Health and Usage Monitoring System (HUMS) application used in helicopters operating in the North Sea. When this linkage becomes fully operational, HUMS data collected by CMS will be reported to MMIR for formatting, archiving, and distribution, permitting almost real-time analysis of trend data useful in predicting component failures.

HAI welcomes inquires concerning MMIR from all segments of the aviation industry, and looks forward to assisting operators throughout the industry to adopt and implement this technological solution to the burden imposed by increasing SDR reporting requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy Resavage". The signature is fluid and cursive, with a large, stylized initial "R".

Roy Resavage,  
President