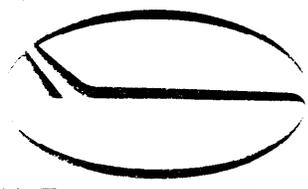


110678

FAA-00-7952-12

(10)



Air Transport Association

DEPT OF TRANSPORTATION

00 SEP 19 11:10:11

November 13, 1995

Federal Aviation Administration
Office of the Chief Counsel
Attention: Rules Docket (AGC-200)
800 Independence Avenue, SW
Washington, D.C. 20591

Dear Ladies/Gentlemen:

The Air Transport Association of America, on behalf of its member airlines, appreciates the opportunity to comment on the Notice of Proposed Rulemaking for Operational and Structural Difficulty Reports (Docket No. 28293).

In general, the FAA significantly revised the draft after proposed rule it had been submitted by the Aviation Rulemaking Advisory Committee (ARAC). While such changes are certainly the Agency's prerogative, the intent of ARAC procedures is to enable "public" involvement in the rulemaking process by producing recommendations that have essentially received internal Agency concurrence before they are submitted as final recommendations. The extensive changes to this draft clearly indicates that the Agency re-staffed the draft after it was submitted. An internal evaluation of these circumstances is in order, with appropriate annotations in the preamble, including rationale. Corresponding changes in ARAC procedures may also be appropriate.

The FAA added the inclusion of forms for operational and structural difficulty reports. Hard copy forms were purposely omitted from the original ARAC recommendation to facilitate the development of a common electronic report that would eliminate the requirement of a separate paper reporting system. This objective is still worthy of a follow-on effort; the forms should be deleted from the final rule.

The original ARAC recommendation was intended to be the first step in a general revision of safety reporting requirements for certificated entities in aviation. ATA remains committed to work with the Agency on further enhancements to the system, including some of the topics the Agency apparently chose to address in this Notice.

Detailed comments from a number of operators are attached for consideration, followed by an ATA recommendation regarding the use of a modified ATA Chapter Coding scheme.

Docket 28293
November 13, 1995
Page Two of Two

Please direct any inquiries regarding this letter to Steven R. Erickson, ATA, Director,
Maintenance & Matériel, phone (202) 626-4134, Fax (202) 626-4081.

Sincerely,


Michael F. Rioux
Vice President
Engineering, Maintenance
& Matériel

Attachments

cc: Jim Casey, ATA
Steve Erickson, ATA
Jim Tripp, FedEx

USAir

Pittsburgh International Airport
P.O. Box 12346
Pittsburgh, PA 15231-0346

October 30, 1995

Mr. Steve Erickson
ATA of America
1301 Pennsylvania Avenue, NW
Suite 1100
Washington, DC 20004-1707

Dear Steve,

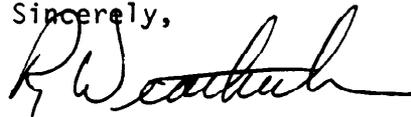
This is in response to MEC Memo No. 95-ME-02. USAir concurs with the differentiation between operational and structural SDRs. Stating this, we disagree with the proposed 121.704 requirements being the same as operational.

The air carriers have been submitting the same items for years to clog the data bases of the FAA and no one reviews them. It is time to address this issue, specifically:

1. The reporting of routine items that have been addressed by the type certificate holder through service bulletins and modifications should not require reporting. USAir currently reports 1200 - 1800 SDRs per year.
2. The 72 hour reporting period should only be required for items that could cause sudden loss of aircraft.
3. All other reports should require submittal 5 days after release of the aircraft for service. This will eliminate the unnecessary resubmittal of a finding that is in the process of repair evaluation during a heavy check.
4. The reporting of engine flame outs during ground operations should not be a reportable item.

Please consider the above items in the ATA response to the FAA.

Sincerely,



Roy Weatherbee
Director, Inspection

cc: J. R. Kania

Delta Air Lines, Inc.
Post Office Box 20706
Atlanta, Georgia 30320-6001

October 27, 1995

FAX (202) 626-4081

Mr. Steven R. Erickson
Director - Maintenance & Materiel
Air Transport Association of America
1301 Pennsylvania Ave, NW., Suite 1100
Washington, DC. 20004-1707

SUBJECT: Operational and Structural Difficulty Reports - Proposed Rule

**REFERENCE: (1) Maintenance Engineering Memorandum 95-ME-53
(2) Maintenance Engineering Memorandum 95-ME-02**

Dear Steve:

Reference (1) memo requests comments on a proposed rule to change operational and structural difficulty reporting requirements. We reviewed the proposed rule and submit the following comments.

The original purpose of improving the reporting system included reducing duplicate and superficial reporting. This would appear to be an intuitive approach towards an effective reporting system of clear and concise information. We point out four ways to improve the proposed rule in the attachment.

Please forward our comments on the proposed rule to FAA.

Sincerely,



John Hoover
Director
Line Maintenance & GSE

Attachment

Mr. Steven R. Erickson
95-ME-53
October 27, 1995
Attachment

Item 1) FAR 121.703 a. (10). *"Any aircraft component or system that results in aborted takeoffs after initiation of the takeoff roll or the taking of emergency actions during flight:"*

This requirement is too broad; there will be reports submitted that have no bearing on flight safety but only a reliability issue. A takeoff may be aborted for a cargo door light at initial acceleration. The light comes on because a switch is slightly out of rig, we do not see any possible way this kind of report may be used to evaluate any safety related issue. The requirement to report rejected takeoffs should be limited to occurrences that involve significant safety problems.

Item 2) FAR 121.704

ATA memo No. 95-ME-02, January 5, 1995, Draft NPRM to revise Service Difficulty reporting, Proposed FAR 121.704 included the following for paragraph (C).

"Reporting of any failure or defect pursuant to paragraph (a) or (b) found after the issuance of an Airworthiness Directive or after the issuance of a manufacturer's Service Bulletin resulting from a failure or defect is not required, provided that the failure or defect falls within the allowable published limits and restoration of the structure can be accomplished without modification of the published repair data.."

The published Federal Register Vol. 60, No. 156, Monday, August 14, 1995 /Proposed Rule, Does not contain the above paragraph (c). We strongly object to the deletion of this paragraph. Our previous comments did not object to the proposed changes to the FAR based on the scope of paragraph (c). The proposed new FAR would have eliminated reporting of repairs for which published repairs already exists. Reporting such repairs only fills the SDR data base with information that the industry is already aware of and does not need. Paragraph (c) must be inserted back into the proposed new FAR 121.704 and include the Structural Repair Manual and Maintenance Manual to be considered published repair data.

Item 3) The proposed Structural Difficulty Report Form, as presented in the NPRM, should in some way be combined with the Operational Difficulty Report form. Mandatory use of a new, separate, form creates an unnecessary burden.

Item 4) Currently several Airworthiness Directives (AD's), such as the Aging Aircraft AD's and Corrosion Prevention & Control Program AD's, require the reporting of various information. In many instances, the same problem is reported through the AD and FAR 121.703. Consideration should be given to eliminating one of the duplicate reporting methods.

American Airlines

MAINTENANCE & ENGINEERING CENTER

October 30, 1995

Mr. Steven R. Erickson, Director
Maintenance & Materiel
Air Transport Association of America
1301 Pennsylvania Ave., Suite 1100
Washington, DC 20004-1707

Subject: Draft NPRM to Revise SDR Reporting

Reference: 1) Memo No. 95-ME-53 dated August 16, 1995
2) Our letter dated October 5, 1994
3) Memo No. ME94-04 dated October 6, 1993
4) Our letter dated November 30, 1993

Dear Steve:

We are pleased to see that some of American's comments to the Draft NPRM have been incorporated into the NPRM. However, we are very disappointed that others appear to have been ignored or overridden. The following comments are provided in response to the subject NPRM:

1. 121.703 (a) (5)

Engine Shutdowns

We still feel very strongly that reporting engine shutdowns has little if any value; especially those occurring on the ground prior to the initiation of the take-off roll. Our concern is the overly aggressive FAA inspector who would require the reporting of shutdowns that occur during taxi operations to reposition aircraft or during maintenance. If shutdowns are deemed to be important enough to report as an ODR, it should only be required if occurring after the initiation of the take-off roll. Such qualifying language is included for other items. We do not understand why it would not also be appropriate here.

We also believe that flame-outs occurring prior to initiation of take-off roll are not significant.

We believe that this rule as currently proposed will cause confusion and unnecessary confrontations with overly zealous inspectors.

2. 121.703 (a) (11)

Emergency Equipment

As stated in our letter dated October 5, 1994, we believe the word "installed" should be added after "Any" in the first line of paragraph (11).

Also, the proposed rule does not "state that a failure of individual components that does not affect the operation of an aircraft's emergency evacuation system...need not be reported." We believe this to be imperative.

3. 121.703 (d)

Location for Submitting Reports

The proposed rule does not change the location for submitting reports, as stated in the General Discussion: it adds a location for reporting. This rule change will in effect require reporting to two locations: the FSDO and to a centralized collection point. "in a form and manner acceptable to the Administrator" will result in reporting to two locations: one will be electronic, the other will be hard copy. We believe this dual reporting should not be imposed.

4. 121.703 (e)

a. Information Listed in (e) (1) Through (e) (6)

The language in paragraph (e) will in effect make electronic reporting of all ODRs mandatory. We believe electronic reporting should be clearly optional.

Mr. S. R. Erickson, ATA

October 30, 1995

Page 2

4. 121.703 (e) (Continued)

b. Aircraft Total Time and Cycles

We also take issue with making aircraft total time and cycles mandatory for all reports. The proposed rule will require reports of defects found in components during shop maintenance for which aircraft time and cycles will be irrelevant and time consuming to provide, especially where those components are maintained by a repair station other than the air carrier. We believe that aircraft total time and cycles will add nothing of real value to the reported data.

c. Information That "Should" Be Provided

We believe the word "should" associated with (e) (7) through (e) (9) is not appropriate language for a rule. As we stated in our previous comments, we agree with the statement made in the discussion of the draft NPRM that such data "would be unnecessary and might add information to SDRs that is not safety-related."

5. 121.704

Reporting of Failure or Defect Found After the Issuance of an AD or Service Bulletin

We are very disappointed that the proposed rule will require reporting defects for which an AD or Service Bulletin has already been issued. We believe data regarding such defects is superfluous. We continue to believe that defects that have already been addressed by the manufacturer in any form (i.e., Service Bulletins, Structure Repair Manual, etc.) should not be required to be reported. It is redundant, costly, and serves no valuable purpose.

121.704 (d)

Submittal of Reports

As in proposed 121.703 (e), 121.704 (d) mandates an electronic form of submittal and dual reporting to a central collection point and the FSDO. We believe the form of data submittal should be optional for the operator and that the operator should be required to provide the reports to only one location in the FAA, which would be the FSDO's source for that data.

We also take issue with using the word "should" in this rule. If it is optional, the rule should leave it out or say it is optional.

6. General Comments:

We continue to be concerned regarding the expanded reporting proposed for 121.703 and 121.704. The ODR system would have even more data than the SDR system currently has with no tangible indication of how the data will be used to enhance safety. We believe that it should first be determined what will be produced from all of this data and how it will be used. Unless or until this is determined, we do not agree that a bigger database will equate to a better system.

The FAA has historically operated on the premise that useful "troubleshooting" and "analysis" will happen if the data are collected. This has not proven to be a fact. We believe the primary emphasis should be placed on getting a consensus of what product (output) is actually needed, in very explicit terms, before the FAA imposes more reporting requirements.

Sincerely,



D. P. Huffman
Vice President
Engineering & QA

DPH:PW/gb



Maintenance Operations

October 24, 1995

Mr. Steven R. Erickson
Director, Maintenance & Material
Air Transport Association of America
1301 Pennsylvania Ave. N.W. - Suite 1100
Washington, D.C. 20004

Reference: MEC Memo No. 95-ME-53

Subject: Operational and Structural Difficulty Reports - Proposed Rule

Dear Steve:

Here are United Airlines' comments on the draft NPRM to revise the existing Service Difficulty Reporting system.

- Reporting of Aborted Takeoffs - Proposed §121.703(a)(10)
Aborted takeoffs should be reported only if the abort (quoting §121.703(c)) "... has endangered or may endanger the safe operation of an aircraft." Many low-speed aborted or rejected takeoffs, due to causes such as off-idle stalls or throttle mis-alignment, do not endanger safe operation. The reporting of these events adds no value. An alternative would be to exclude reporting of aborted takeoffs below a minimum velocity expressed as a percentage of V1 speed.
- Reporting Landing Gear or Gear Door Operation - Proposed §121.703(a)(8)
We recommend the reporting of "landing gear extension or retraction or the opening or closing of gear doors" exclude intentional cycling or be limited to landing gear or gear door difficulties resulting in emergency actions, diversions or turnbacks.
- Reporting of Emergency Evacuation System Components - Proposed §121.703(a)(11)
We recommend specifically exempting from reporting Emergency Egress Lighting (EEL) batteries and strips. The data provided in reports of replacement of EEL batteries and strips during inspection and maintenance makes it difficult to determine whether the condition was deferrable.
- Reporting using the FAA-modified ATA Specification 100 Code - Proposed §121.703(e)(5)
We strongly recommend continuing use of the existing ATA coding system. The new coding does not add any value; specific detail is included in the text. Alternatives would be to change the basic ATA-100 specification or to use all six digits of the existing ATA-100 system. We don't want two similar but different ATA coding systems.
- Reporting of Engine or Component Serial Numbers - Proposed §121.703(e)(7)
Identification of the "engine or component serial number" is not justifiable, especially when reporting of the engine or component manufacturer and part number is not required by §121.703. The serial number by itself adds no value.
- Structural Difficulty Reporting (SDR) - Proposed §121.704
 - * The draft NPRM further establishes duplicate, overlapping systems for reporting structural difficulties. Mandatory reporting should be required only once for each qualifying defect.
 - * There should be an exemption to SDR reporting per §121.704 for failures or defects found after the issuance of an Airworthiness Directive or after the issuance of a manufacturer's Service Bulletin resulting from a failure or defect, provided that the failure or defect falls

October 24, 1995

within allowable published limits and restoration of the structure can be accomplished without modification of the published repair data. This was provided for in the text of §121.704(c) of the ARAC final draft recommendation and we continue to endorse this provision. Unfortunately, the entire paragraph was deleted from the FAA's version.

- * The requirement to report the part number of structural elements (proposed §121.704(d)(7)) should be an option when the location or station of a structural defect is reported. Some structural elements are many feet in length and the part number alone is not an adequate identification. Conversely, the part number adds no value when the specific location is provided.
- * If the purpose of the SDR system is to alert the industry to potential problems as stated in the preamble, reports should only be required for significant findings of damage to PSE's that could have an immediate direct effect on flight safety such as :
 - a) Multi Site Fatigue Cracks
 - b) SSID Fatigue Cracks
 - c) Early Onset of Fatigue Cracks
 - d) SFAR36 Major Repairs and DER Approved Repairs
 - e) Cracks/Corrosion exceeding Service Bulletin Limits
 - f) Failure of Service Bulletin Mods
 - g) Structural Design Discrepancies on New Airplanes
 - h) Repairs exceeding SRM Damage Limits
 - i) Extensive Delaminations, Debonds, Cracks etc. to Composite and Bonded Structure
- * If, however, the primary purpose of data collection is to allow the FAA to develop a data base for trend analysis and does not involve flight safety, there is no justification for the 72 hour reporting requirement. This would exclude corrosion defects found during maintenance from the 72-hour reporting requirement. Quarterly reports are adequate for these defects.

Sincerely,



Peter G. Hardy
Manager, Maintenance Programs

**CONTINENTAL
AIRLINES**

General Office Teletype Message

Time

Date 10-30-95

Teletype

Address:

Teletype

Signature:

*** INSTRUCTIONS ***

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TELETYPE ADDRESS: Each address must have the same number of letters:

- 3 letter city code.
- 2 letter office code.
- 2 letter airline code.

TELETYPE SIGNATURE: Same format and number of characters as Teletype Address.

ATTN: Give name of individual(s) to act on the message.

CC Give name of individual(s) to receive a copy of the teletyped message at destination. NOTE: Additional copies for the G.O. must be provided by the sender.

* * * * *

Addressing procedures and codes may be found in the Company telephone directory. Additional information may be obtained by contacting the G.O. Communications Operator, EX 6-5865.

ATTN: Steve R. Erickson

CC: _____

SUBJECT: 95-ME-53 Operational and Structural Difficulty Reports

The following represents CAL's comments concerning the NPRM for aircraft reporting requirements:

1. A minimum time period of six (6) months should be allowed to implement the proposed rule, from its effective date, in order to train personnel on the new requirements.
2. The proposed rule: 121.704(2) and (5) provides for the report of each and every structural crack regardless of size. It would appear that this would provide a significant amount of data that may have no purpose.

Sender:

J. Johanson, Director Regulatory Affairs

Additional comments to Communications Operator:

Page 1 of 1

Date	10/31/95	# of pages	2
From	Donna Hou		
To	ATA		
Co./Dept.	CAL		
Phone #	713 640 5160		
Fax #	713 641 3228		
Post-It Fax Note	7071		
	202-626-4081		4149



FAX TRANSMISSION LEAD SHEET

TO: Air Transport Association
Attn: Steve Erickson
Director, Maintenance & Materiel
Fax (202) 626-4081, or -4149

FROM: RICHARD W. ANDERSON
Maintenance Engineering & Reliability Analysis
FEDERAL EXPRESS CORPORATION
3101 Tchulahoma Road (901) 369-3611 (telephone)
Memphis, TN 38118-5414 (901) 369-3751 (fax)

COMMENTS/INSTRUCTIONS: October 26, 1995

SUBJECT: M.E. Memorandum No. 95-ME-53; NPRM on ODR/SDRs

Steve -- FedEx has basically four (4) concerns with the subject NPRM.

- 1) While expansion of the structural and corrosion reporting was expected, FedEx had hoped that the FAA would take this opportunity to eliminate the duplicate reporting they require. On the original eleven (11) "Aging Aircraft" types, structural/corrosion findings must be reported once per the associated SID or CPCP Airworthiness Directives (ADs), and the same information is required to be reported a second time per this Rule. Such requirements are wasteful of the operators' resources, only support bureaucracy and increase the potential for the operator to accidentally violate the Rule or the AD by submitting one and not the other.
- 2) Mandating the Total Time & Cycles be added to the report, and requesting that Time Since last O/H, Repair or Inspection be included, asks for information not readily available to many of the people currently submitting the events; consequently, another department/group must now get involved in the process of submitting these events -- adding to FedEx overhead and bureaucracy, and making it more difficult to meet the 72-hour submission time requirement.
- 3) Mandating use of the new "FAA modified" ATA Code will require FedEx to add another step to the internal process of submitting these events by requiring us to review/recode the ATA coding of every item submitted -- adding to FedEx overhead and bureaucracy, and making it more difficult to meet the 72-hour submission time requirement.
- 4) While in the "General Discussion" section of the NPRM (at the end of page 41996, as it appears in the *Federal Register*) it speaks to the issue of resubmitting an ODR under its original Operator Control number, when additional information is available. Unfortunately, the actual words of the Rule do not give the operator that ability -- an ability currently available per the existing FAR Part 121.703(h), and mandatory to accommodate normal workload planning/scheduling when an aircraft is in for maintenance.

Best Regards,

Richard W. Anderson
Maintenance Engineering & Reliability Analysis

Alaska Airlines

September 20, 1995

Mr. Steven R. Erickson
Director Maintenance and Material
Air Transport Association
1301 Pennsylvania Ave. Suite 1100
Washington, D.C. 20004-1707

Ref. MEC Memo No. 95-ME-02

Dear Steve:

Please accept our comments on Operational and Structural Difficulty Reports-
Proposed Rule, if you require further information, please contact me directly.

Page 41994

Section 121.703

Operational difficulty report title change. Recommend further change to
"Safety related operational difficulties" and Safety related operational
information."

Section 121.703 (a) (2)

Middle of paragraph 1. False fire or smoke. This statement does not
identify whether the event occurred while the aircraft was operated for
revenue or under maintenance.

Page 41995

Section 121.703 (a) (9)

The last paragraph is not clear. It refers to any detectable braking loss
and goes on to define same. However, a contradiction follows by stating
MEL items are excluded. This is confusing. The MEL item may have
induced the failure. Excluding it doesn't capture information that may be
beneficial for analysis.



Section 121.701 (a) (10)

Again the question is here under maintenance or revenue flight only?

Regards,

A handwritten signature in black ink, appearing to read "Rene". The signature is written in a cursive style with a large initial "R".

Rene P. Visscher
Assistant Vice President

CONTRADICTION

rule would state that failures, malfunctions, or defects that result in any reduced braking are events that are required to be reported, excluding aircraft braking component malfunctions, defects, or discrepancies that are deferrable according to the Minimum Equipment List as provided for in § 91.213.

procedures be reported. Proposed § 125.409(a)(4) would add the same requirements for operations conducted under part 125. These proposed changes would eliminate the reporting of events that do not affect safety by indicating that such events would have to be reported only if emergency procedures are exercised.

The proposed change also would delete the words "during flight." The proposed reporting requirement would include events that occur in flight or on the ground and would expand the reporting of these events to the entire aircraft. The current requirements only cover these events if they occur in the crew compartment or passenger cabin.

Sections 121.703(a)(5), 125.409(a)(5), 127.313(a)(5), and 135.415(a)(5)

These proposed sections would combine the reporting requirements for engine failures and shutdowns in current §§ 121.703(a)(6), 121.703(a)(7), 121.703(a)(8), and 121.703(a)(9) into proposed § 121.703(a)(5); current §§ 127.313(a)(6), 127.313(a)(7), 127.313(a)(8), and 127.313(a)(9) into proposed § 127.313(a)(5); and current §§ 135.415(a)(6), 135.415(a)(7), 135.415(a)(8), and 135.415(a)(9) into proposed § 135.415(a)(5). An equivalent § 125.409(a)(5) would also be added.

The proposed change would require that the certificate holder report failures, malfunction, or defects involving all engine flameouts and shutdowns during ground or flight operations. The proposed sections would contain a provision to exclude intentional engine shutdowns, such as those that occur during flight crew training, test flights, and taxiing to reduce fuel consumption.

Sections 121.703(a)(6), 125.409(a)(6), and 135.415(a)(6)

These proposed sections would amend current §§ 121.703(a)(10) and 135.415(a)(10) by deleting the words "during flight." The proposed change would require that the certificate holder report the failure, malfunction, or defect of any propeller feathering system or the ability of the system to control overspeed events whether such events occur during flight or on the ground. Proposed § 125.409(a)(6) would specifically state the equivalent requirement for operations conducted under part 125.

Sections 121.703(a)(7), 125.409(a)(7), 127.313(a)(6), and 135.415(a)(7)

These proposed paragraphs would redesignate the requirements in § 121.703(a)(11) as § 121.703(a)(7), § 127.313(a)(9) as § 127.313(a)(6), and § 135.415(a)(11) as § 135.415(a)(7), and

would add new §§ 125.409(a)(7). These requirements pertain to reporting the failure, malfunction, or defect of a fuel or fuel-dumping system that affects fuel flow or causes hazardous leakage in flight. Section 127.313(a)(6) is proposed to include fuel dumping systems because these systems are now available on some helicopters.

Sections 121.703(a)(8), 125.409(a)(8), 127.313(a)(10), and 135.415(a)(8)

The proposed rule would redesignate current paragraph § 121.703(a)(12) as § 121.703(a)(8); revise current § 135.415(a)(12) and redesignate it as § 135.415(a)(8); revise § 127.313(a)(10); and add new § 125.409(a)(8). These sections require the reporting of failures, malfunctions, or defects in the operation of landing gear and landing gear doors during flight. Section 127.313(a)(10) would be revised to include equivalent requirements to apply to helicopters that have retractable landing gear. The requirements of current § 127.313(a)(10) related to helicopter structures that require major repairs would be moved to proposed new § 127.314. The proposed rule would also remove the term "unwanted" from current § 135.415(a)(12) to require that any landing gear extension or retraction, or opening or closing of landing gear doors during flight resulting from a malfunction or defect must be reported. This also would ensure consistency with the reporting requirements of parts 121 and 125.

Sections 121.703(a)(9), 125.409(a)(9), 127.313(a)(11), and 135.415(a)(9)

Current §§ 121.703(a)(13) and 135.415(a)(13) relating to failures, malfunctions, or defects in aircraft braking components would be revised and redesignated as proposed §§ 121.703(a)(9) and 135.415(a)(9), respectively. The equivalent requirements would be revised and redesignated in proposed § 125.409(a)(9) to provide consistency with parts 121 and 135. Section 127.313(a)(11) would be revised to include the reporting of failures, malfunctions, or defects of brake system components because wheeled helicopters are equipped with brakes. The requirements of current § 127.313(a)(11) related to cracks, deformation, or corrosion of helicopter structures would be moved to proposed new § 127.314.

The proposed rule would change "loss of brake actuating force" to "any detectable loss of brake actuating force" to clarify the interpretation of the term "loss." Some air carriers have interpreted the term "loss" to mean total loss of braking action. This proposed

Sections 121.703(a)(10), 125.409(a)(10), 127.313(a)(7), and 135.415(a)(10)

Proposed §§ 121.703(a)(10), 125.409(a)(10), 127.313(a)(7), and 135.415(a)(10) would include the reporting of information relating to aborted takeoff. Currently, air carriers are not required to report information on aborted or "rejected" takeoffs. Limited information relating to aborted takeoffs that result from an accident or incident may be available through the FAA's Accident/Incident Data Subsystem of the National Transportation Safety Board (NTSB). The proposed rule would require that information on all aborted takeoffs after initiation of the takeoff roll, resulting from a failure, malfunction, or defect of an aircraft component or system be reported to troubleshoot problems that may have safety-of-flight implications.

In addition, the current regulations require reporting of failures, malfunctions, or defects occurring in aircraft components or systems that result in any emergency action taken during flight, excluding the shutdown of an aircraft engine. The reference to excepting engine shutdowns in current §§ 121.703(a)(16), 127.313(a)(12), and 135.415(a)(16) would not be included in this proposed paragraph because the reporting of failures, malfunctions, or defects involving any aircraft engine shutdown would be required by proposed §§ 121.703(a)(5), 127.313(a)(5), and 135.415(a)(5), respectively.

Sections 121.703(a)(11), 125.409(a)(11), 127.313(a)(9), and 135.415(a)(11)

The proposed paragraphs would revise current § 121.703(a)(17) and redesignate it as § 121.703(a)(11); add new § 125.409(a)(11); and revise current §§ 127.313(a)(9) and 135.415(a)(11). The proposed rule would state that a failure of individual components that does not affect the operation of an aircraft's emergency evacuation system or components, exit doors, passenger evacuation lighting systems, or evacuation equipment need not be reported. The proposed rule also would state that failures, malfunctions, or defects that are deferrable according to the Minimum Equipment List as provided for in § 91.213 need not be reported. This proposed change would

Not clear

and 135.416 would be added to manage the reporting of structural defects.

Section 125.409 would be revised by requiring reports for specific events rather than reports of the occurrence or detection of every failure, malfunction, or defect. The proposed change eliminates the reporting of defects that do not compromise the airworthiness of the aircraft. The proposal would add requirements to part 125 that are equivalent to the reporting requirements in proposed §§ 121.703, 127.313, and 135.415.

In proposing to revise the part 135 reporting requirements, the FAA recognizes that aircraft maintained in accordance with part 135 may operate under part 91 at times; however, all part 135 reporting requirements would apply as long as the aircraft is maintained under part 135.

Reporting requirements would be revised for each of the proposed sections to standardize report information. Required reporting information would be revised to include total aircraft flight time to aid in evaluating corrosion and aircraft structural fatigue. In addition, the amount of elapsed time since the last maintenance performed on components would be added to determine how long components have been in service. Information on manufacturer's part numbers and serial numbers would be added to develop trend information. Reporting procedures would also be revised to encourage the electronic transmission of data directly to a centralized collection point as specified by the FAA. (Presently, the data base is maintained at the Mike Monroney Aeronautical Center.) A program that enters SDR data electronically into the SDRS would be optional. The electronic submission of data would provide a database that is near real-time. Data would be uploaded and available the next business day. The proposed rule would also provide for collecting information on aborted or "rejected" takeoffs caused by the failure, malfunction, or defect of an aircraft component or system. This information would be used to generate statistical data for future analysis of the safety implications such events may have on flight operations.

Sections 145.63 and 145.79 would be revised to allow parts 121, 125, 127, and 135 certificate holders to require certificated domestic and foreign repair stations to submit the reports required under the proposed sections of parts 121, 125, 127, and 135 on behalf of the certificate holder when the repair station discovers a malfunction or defect. This proposed change would

eliminate the requirement for the air carrier and the repair station to report the same problem to the FAA. However, the air carrier would not be relieved of the responsibility of ensuring that these reports are submitted.

The purpose of the proposed regulation would be to enhance air carrier safety by collecting additional and more timely data that identifies mechanical failures, malfunctions, and defects which may be a serious hazard to the operation of an aircraft. The information collected would be used to develop and implement corrective actions to help prevent future occurrences of these failures, malfunctions, and defects once they have been identified.

It should be noted that there is currently a proposal to delete part 127 in an NPRM published in the *Federal Register* on March 29, 1995, regarding Commuter Operations and General Certification and Operations Requirements (60 FR 16230). If part 127 is deleted in that final rule as proposed, the proposed revisions to part 127 in this NPRM will not be considered in the development of a final rule.

General Discussion of the Proposed Rule

Sections 121.703, 125.409, 127.313, and 135.415

The proposed rule would change the titles of §§ 121.703, 127.313, and 135.415 from "Mechanical reliability reports" to "Operational difficulty reports." The proposed rule also would change the title of § 125.409 from "Reports of defects or unairworthy conditions" to "Operational difficulty reports." The title change would reflect more accurately the type of information collected, which may be categorized as primarily operational and safety-related information rather than reliability and failure information as is implied by the current titles.

Sections 121.703(a)(1), 125.409(a)(1), 127.313(a)(1), and 135.415(a)(1)

Proposed §§ 121.703(a)(1), 125.409(a)(1), 127.313(a)(1), and 135.415(a)(1) would specify that a certificate holder must report each failure, malfunction, or defect involving any fire, rather than only those fires that occur during flight, as is currently prescribed by the regulations. The proposed changes would ensure that information is also reported on fires that occur on the ground because these fires may affect the safety of flight. In addition, the current requirement to report whether the related fire-warning system functioned properly in the event

of a fire caused by a failure, malfunction, or defect also would be retained by the proposed rule.

Current §§ 121.703(a)(2), 127.313(a)(2), and 135.415(a)(2) require certificate holders to report failures, malfunctions, or defects concerning fires during flight that are not protected by a related fire warning system. Proposed §§ 121.703(a)(1), 125.409(a)(1), 127.313(a)(1), and 135.415(a)(1) would retain this requirement because failures, malfunctions, or defects involving any fire must be reported by the certificate holder.

Sections 121.703(a)(2), 125.409(a)(2), 127.313(a)(2), and 135.415(a)(2)

Proposed §§ 121.703(a)(2), 127.313(a)(2), and 135.415(a)(2) would revise current §§ 121.703(a)(3), 127.313(a)(3), and 135.415(a)(3), respectively, which address the reporting of failures, malfunctions, or defects involving false fire warnings during flight. The proposed rule would require that any false fire or smoke warning necessitating the use of emergency procedures be reported to ensure that the certificate holder documents occurrences that have safety-of-flight implications. This requirement also would be added to proposed § 125.409(a)(2).

Sections 121.703(a)(3), 125.409(a)(3), 127.313(a)(3), and 135.415(a)(3)

Proposed §§ 121.703(a)(3), 127.313(a)(3), and 135.415(a)(3) would require that information on damage to an engine, adjacent structure, equipment, or components caused by a failure, malfunction, or defect of an engine exhaust system be reported by the certificate holder regardless of whether such damage occurred in flight or on the ground. Proposed § 125.409(a)(3) would add the same requirements for operations conducted under part 125. Currently, §§ 121.703(a)(4), 127.313(a)(4), and 135.415(a)(4) require only that the certificate holder report to the FAA damage to an engine, adjacent structure, equipment, or components caused by an engine exhaust system during flight.

Sections 121.703(a)(4), 125.409(a)(4), 127.313(a)(4), and 135.415(a)(4)

Proposed §§ 121.703(a)(4), 127.313(a)(4), and 135.415(a)(4) would revise the current requirements in §§ 121.703(a)(5), 127.313(a)(5), and 135.415(a)(5), respectively, by requiring that the failure, malfunction, or defect of airplane or helicopter components that cause an accumulation or circulation of smoke, vapor, or toxic or noxious fumes resulting in the use of emergency

"Withdraw FAA Modified Code Provision"

ATA requests that the requirement to submit data using the "applicable FAA modified Air Transport Association Specification 100 code (ATA code)", be withdrawn from the proposed rule. ATA members view this requirement as merely providing a questionable economic benefit to certain users of SDR data. There are no safety benefits to be derived by making this into a regulation.

Presently operators either code their equipment in accordance with ATA Specification 100 or code it to an internal coding system. Should the proposed FAA modified code be adopted, operators will have to re-code their equipment to yet another coding system. This is an added expense that the FAA fails to recognize.

A cost analysis for operators complying with the FAA modified code is lacking from the proposed rule. Operators will have to maintain staff to re-key submitted SDR data to ensure compliance with the proposed provision. Their current equipment coding scheme is not now in conformance with the FAA modified code and nor will it be in the future, as long as they are ATA Specification 100/2100 compliant. If the operators are allowed to submit data to the codes they are now using, they have the opportunity to avoid added staff expense.

The only reason ATA can see that the FAA would promote the FAA modified code is a false perception that the code will simplify data retrieval for analysis of specific systems. However the code based on ATA Specification 100 is more specific in data retrieval than the FAA modified coding system when the fleet type is added as a controlling field, simply because the ATA code when assigned by the manufacturer to a specific fleet type, is specific to six digits. The FAA code is specific to only four digits. The key to accurate data retrieval is to use the fleet type code as a controlling field.

The current document which provides the "FAA modified code" is relatively recent and has not been revised that often simply because not many operators have used it. Should this provision be adopted, the FAA will have to accommodate repeated requests for change to keep the document current. ATA believes the FAA is ill equipped to maintain their coding system in the years ahead. ATA members have kept the equipment codes within ATA Specification 100 current for 39 years primarily because the coding system is flexible and because the industry has borne the expense to maintain standing committees to keep the specification current. Specification 100 specifies only the first three of six digits of the ATA code. The remaining three digits are assigned by the manufacturers (authors of the documents using the equipment codes). The "FAA modified code" using only four digits assigned by the FAA, is already running out of assigned numbers. For example the FAA codes assigned to components of the auxiliary hydraulic system, 2920 through 2927, has only two vacant codes

left (2928, 2929). There are numerous other examples where expansion of the FAA modified codes will not be available simply because the coding system has no flexibility built-in.

Operators who do not enter the "correct" code would be in a technical violation of a regulation and therefore subject to potential fines. Subsequent operator requests to use another code in the future could of course, only be accomplished by formal petition to the Administrator. In addition the Federal Register takes a stringent view of referencing documentation by rulemaking. For example in referencing a service bulletin in an Airworthiness Directive (AD), the existing revision level must be cited. Reference to pending revision levels must either be approved under the alternate means of compliance provision or the AD must be amended or superseded. A specific FAR 121 rule lacks the options to rapidly approve subsequent changes that exist with AD rulemaking. Future revisions of the "FAA modified code" would present insurmountable obstacles for operators in ensuring strict compliance with the regulations should this provision be adopted.

Lastly, the proposed provision to have SDR data conform to a FAA modified code along with several other provisions in the proposed rule, are not endorsed by the ARAC working group that originally submitted "a variant" of this proposal. ATA is disturbed that there is nothing in the *supplementary information* section that points out what part of the proposal was submitted to the FAA by ARAC and what part is modified by the FAA. A reader of this proposed rule is given the impression that industry supports the proposed rule in its entirety when in fact they do not. The FAA should immediately correct this deficiency in their rulemaking or they stand to lose the support of industry in maintaining ARAC.

To: Dave Lotterer@Ops_Safety@ATA
Cc:
Bcc:
From: S=MCIGDTW/C=US/A=ARINC/P=ADNS
Subject: ATTN/ DAVE LOTTERER
Date: Wednesday, September 20, 1995 10:27 AM
Attach:
Priority: N

ORIG REF: MCIGDTW 201927/FE817FAC
ATTN/ DAVE LOTTERER

SUBJ/ FAA CODES FOR MECHANICAL RELIABILITY REPORTS -
PROPOSED REVISION TO ATA 100 CODING SYSTEM

REF/ ATA TICC MEMO 95-16

TWA/S POSITION IS THAT THERE ARE TOO MANY CODES IN THE
PROPOSED REVISION TO THE ATA 100 CODING SYSTEM.

MCIGDTW/ L. F. BRETT-DIRECTOR
FAA/ATA LIAISON AND Q.A.

UNITED AIRLINES

Maintenance Operations

September 25, 1995

Mr. David Lotterer
Director, Airworthiness and Technical Standards
Air Transport Association of America
1301 Pennsylvania Avenue, N. W.
Suite 1100
Washington, D. C. 20004-1707

Subject: FAA Codes for Mechanical Reliability Reports

Reference: ATA/MEM No. 95-ME-53

Dear Mr. Lotterer,

United Airlines has reviewed the FAA's proposal to use a modified ATA Spec 100 coding system to classify Mechanical Reliability Reports (MRR's). Our position is that deviations from existing industry standards will complicate our reporting process. We feel that coding schemes should be consistent for MRR's, Maintenance Manuals, Service Bulletins, Illustrated Parts Catalogs, etc. If the FAA's proposed system will support all applications and is superior, we should use it. Otherwise, we do not wish to support two coding systems.

Sincerely,



Peter G. Hardy
Manager, Maintenance Programs



NORTHWEST
A I R L I N E S

Department Number
MSP C8810

Northwest Airlines, Inc.
5101 Northwest Drive
St. Paul MN 55111-8034
November 4, 1995

Mr. Steven R. Erickson
Director, Maintenance & Material
Air Transport Association of America
1301 Pennsylvania Ave. NW - Suite 1100
Washington, DC 20004-1707

Subject: Structural Difficulty Reports - Ref: 95-ME-53, dated 16AUG95

Dear Mr. Erickson:

Review of revised FAR 121.703 and proposed FAR 121.704 has resulted in several recommendations which may improve both the accuracy, consistency and value of data collected under the SDR system:

Under "General Discussion of the Proposed Rule" (Federal Register, page 41994):

1. Sections 121.704(a)(4), et al, state:

"Repairs accomplished within the limits of SRM's or MM are not reportable. Repairs developed outside these approved data sources are reportable whether the accepted or approved data is developed by a DER, under SFAR 36, or other approved repair data."

NWA recommends that the word "limits" be clarified to state "allowable damage limits." Without such clarification repairable damage limits may be understood.

Under "The Proposed Amendment" (Federal Register, page 42002):

2. Sections 121.703 (a) (11) states

Any emergency evacuation system or component including any exit door, passenger emergency evacuation equipment that is found to be defective, or that fails to perform the intended function during an actual emergency or during training, testing, maintenance, demonstrations, or inadvertent deployments, excluding failures, malfunctions or defects that are deferrable according to the Minimum Equipment List as provided for in 91.213.

Suggest rewording or clarification to avoid submission of ODRs when operators perform scheduled maintenance programs that daily or before each flight check condition of degrading elements such as batteries. Low charge on batteries will require replacement during maintenance but is not viewed as a system failure, malfunction, or defect since the system was designed with this naturally degrading component. Operators would still be required to report conditions causing premature battery degradation.

3. Section 121.704(a) states:

"Each certificate holder shall report the occurrence or detection of each failure or defect of each primary structure or principal structural element ..."



NWA recommends that the above paragraph clarify that if both primary structure and principal structural element lists are available, the latter will take precedence for SDR reporting. Moreover, this same understanding should be clarified for each of the following sub-paragraphs (a)(1-3, 5).

4. Section 121.704(a)(1) states:

"Corrosion that requires rework or blendout that exceeds the manufacturer's Maintenance Manual (MM) allowable limits and requires a repair or a complete or partial replacement of a primary structure or principal structural element;"

The above paragraph clearly limits the corrosion reporting to discrepancies requiring a strength-restoring repair. The following sub-paragraphs (a)(2-3), however, make no such clarification. The implication is that cracks or disbonding within allowable damage limits (which may require a non-strength-restoring repair) require SDR reporting.

Moreover, this same wording is omitted entirely from sub-paragraph (a)(5), which instead begins with the phrase: "Any crack, fracture, or delamination ..." Exemption from reporting such composite structure discrepancies when within allowable damage limits is clearly precluded by this phrase.

NWA recommends that clarification be made to (a)(1-3, 5), such that the phrase "strength-restoring repair or a complete or partial replacement" is used throughout.

5. Section 121.704(a)(4) states:

"Failures or defects repaired in accordance with data approved by a Designated Engineering Representative (DER) or other approved data not contained in the manufacturer's MM;"

NWA recommends that this sub-paragraph be identified as 121.704(b), with remaining sub-paragraphs re-lettered as 121.704(c-g). The content of this sub-paragraph is of a different nature than (a)(1-3, 5) which surround it, thereby warranting separation.

6. Section 121.704(c) states:

"Each report of occurrences during a 24-hour period shall be submitted to the FAA within the next 72 hours."

NWA recommends that the 72 hour reporting requirement be clarified to state: "...shall be submitted to the FAA within 72 hours of the aircraft's return to service."

Finally, NWA recommends that standardized part and discrepancy nomenclature be published, parallel with SDR prototype form 8070-3, to further increase SDR accuracy and consistency.

Thank you for your time and consideration of the above recommendations.

Sincerely,



Mark Millam
Manager, Reliability
Technical Operations

MM/cr

CC: C. Jones
W. Kawakami
J. Ferrante



**NORTHWEST
AIRLINES**

Department Number
MSP C8863

Northwest Airlines, Inc.
5101 Northwest Drive
St. Paul MN 55111-3034

November 2, 1995

Mr. Steven R. Erickson
Director, Maintenance & Material
Air Transport Association of America
1301 Pennsylvania Ave. NW - Suite 1100
Washington, DC 20004-1707

Subject: Structural Difficulty Reports - Ref: 95-ME-53, dated 16AUG95

Dear Mr. Erickson:

Review of proposed FAR 121.704 has resulted in several recommendations which may improve both the accuracy and consistency of data collected under the SDR system:

Under "General Discussion of the Proposed Rule" (Federal Register, page 41994):

1. Sections 121.704(a)(4), et al, state:

"Repairs accomplished within the limits of SRM's or MM are not reportable. Repairs developed outside these approved data sources are reportable whether the accepted or approved data is developed by a DER, under SFAR 36, or other approved repair data."

NWA recommends that the word "limits" be clarified to state "allowable damage limits." Without such clarification repairable damage limits may be understood.

Under "The Proposed Amendment" (Federal Register, page 42002):

2. Section 121.704(a) states:

"Each certificate holder shall report the occurrence or detection of each failure or defect of each primary structure or principal structural element ..."

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3. Section 121.704(a)(1) states:

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Moreover, this same wording is omitted entirely from sub-paragraph (a)(5), which instead begins with the phrase: "Any crack, fracture, or delamination ..." Exemption from reporting such composite structure discrepancies when within allowable damage limits is clearly precluded by this phrase.

NWA recommends that clarification be made to (a)(1-3, 5), such that the phrase "strength-restoring repair or a complete or partial replacement" is used throughout.

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NWA recommends that this sub-paragraph be identified as 121.704(b), with remaining sub-paragraphs re-lettered as 121.704(c-g). The content of this sub-paragraph is of a different nature than (a)(1-3, 5) which surround it, thereby warranting separation.

5. Section 121.704(c) states:

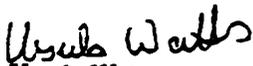
"Each report of occurrences during a 24-hour period shall be submitted to the FAA within the next 72 hours."

NWA recommends that the 72 hour reporting requirement be clarified to state: "...shall be submitted to the FAA within 72 hours of the aircraft's return to service."

Finally, NWA recommends that standardized part and discrepancy nomenclature be published, parallel with SDR prototype form 8070-3, to further increase SDR accuracy and consistency.

Thank you for your time and consideration of the above recommendations.

Sincerely,



Ursula Watts
Manager, Engineering Policies and Procedures
Technical Operations

UW/cr

CC: C. Jones
W. Kawakami ✓
J. Ferrante