110682 FAA-00-7952-8 (6)

Air Methods

Serving the Aeromedical Industry Since 1980

00 SEP 19 PM 12: 11

November 12, 1995

Federal Aviation Administration
Office of the Chief Counsel
Attn: Rules Docket (AGC-200)
Docket No. 28293
800 Independence Avenue SW.
Washington, DC 20591

Air Methods Corporation
Denver/Centennial Airport
303-790-0587

Dear Sir:

On behalf of Air Methods Corporation, I am responding to the notice of proposed rule making Docket No. 28293, Operational and Structural Difficulty Reporting.

Air Methods' is a FAR Part 135 Air Carrier with our corporate headquarters located in Englewood, Colorado. We are the largest publicly-held exclusive provider of state-of-the-art emergency medical transportation systems and services to hospitals throughout the United States. Air Methods' also manufactures state-of-the-art medical interiors for civilian, military and international organizations.

Please consider the following recommendations or comments in the Notice of Proposed Rulemaking (NPRM) for FAR Part 135:

Proposed FAR Part 135.415 amendments:

135.415 paragraph (a)(8)
Clarify the reporting requirements of landing gear extensions or the operation of landing gear doors during flight. By the definition of flight this could include each take off and landing.
Recommend the words "unwanted" remain in the current text or include the verbiage proposed in the General Discussion of the Proposed Rule page 41994 "... resulting from a malfunction or defect."

135.415 paragraph (b)
Recommend the definition of flight be retained in this paragraph until appropriately placed in FAR Part I (Definitions and Abbreviations).

135.415 paragraph (d)
Clarify the appropriate "location where the data base is maintained." Is the data base described, the operator's or the FAA's? If the data base is the FAA's, how will the operators get information regarding the preferred location (e.g. electronic mailing address)?

135.415 paragraph (e)
The proposed wording states, "The report must (mandatory requirement) include information listed in paragraphs (e)(1) through (e)(6)". Air Methods cannot meet the intent of the proposed paragraph because:

135.415 paragraph (e), continued

Paragraph (e)(3) - Air Methods does not utilize "flight numbers" in our record keeping process of flight operations, this proposal would require implementation of a new procedure deemed unnecessary under normal circumstances to our operation.

Paragraph (e)(5) - there are various interpretations and levels of complexity to ATA Codes, this area of required information could result in the inconsistency of the reporting procedure the FAA is trying to standardize. Is the FAA prepared to provide Air Transportation Association Specification 100 Code (ATA) to the operators?

Paragraph (e)(6) - again a mandatory requirement proposed by the FAR, aircraft total cycles are not calculated and accumulated on all model aircraft Air Methods' operates.
Recommend proposed 135.415 paragraph (e) items 1 through 9, be provided as required based on availability of information relevant to the appropriate operation.

Paragraph (g) - Clarify "may be submitted by a certificated repair station when the reporting task has been assigned by the part 135 certificate holder."
Left to interpretation this could mean, as an operator, Air Methods' must grant authority in writing to the certificated repair station prior to their submitting the appropriate 135.415 form. In the same respect, potential exists that operators will be required to keep a listing of certificated repair stations granted this authority.
The requirement of this paragraph has the potential of adding a significant administrative burden.

Proposed addition of FAR 135.416:

Paragraph (a)(1) - the small aircraft (12,500 pounds or less) that Air Methods and other 135 air carriers operate, do not have maintenance manuals available from the manufacturer with published allowable corrosion limits.
The lack of availability of the corrosion limits will have a negative economic impact on our operation caused by extended periods of aircraft down time trying to acquire this information from the various manufacturers. Air Methods' experience indicates manufacturers tend to treat each situation of this sort on a case by case, first come first served basis.
The requirements placed upon the 135 operators under this proposed rule are unreasonable.

Paragraph (a)(2) - is not necessary, the proposal is a redundancy of Part 43 requirements. The proposal simply clarifies a major repair that is already in FAR Part 43, appendix A, which is quite explicit.

Paragraph (a)(3) - clarify the magnitude (major or minor) of debonding requiring repair and reporting. The lack of clarity of the proposed regulation would necessitate reporting debonding in every instance.

Paragraph (c) - this proposal increases paperwork requirements to include both an FAA Form 337 and now a structural difficulty report. In addition, the proposal clarifies the distribution requirements that already exist in FAR Part 43, appendix B.

135.416, continued

Paragraph (d)
The verbiage states, "The report must (mandatory requirement) include information listed in paragraphs (d)(1) through (d)(6)". Air Methods cannot meet the intent of the proposed paragraph for the reasons mentioned in 135.415 (e) above.

Paragraph (f) - Clarify "may be submitted by a certificated repair station when the reporting task has been assigned by the part 135 certificate holder."
Left to interpretation this statement could mean, as an operator, Air Methods' must grant authority in writing to the certificated repair station prior to their submitting the appropriate 135.415 form. In the same respect, potential exists that operators will be required to keep a listing of certificated repair stations granted this authority.
The requirement of this paragraph has the potential of adding a significant administrative burden.

Proposed FAR Part 135.417 amendments:

The proposed wording of 135.417 (Mechanical Interruption Summary Report) regarding the change in the distribution interval from the 10th day of the following month, to "regularly and promptly" is too vague and ambiguous. The proposed wording leaves a lot of room for interpretation and inconsistencies between operators and FAA inspectors.
What is the legal definition of regular and promptly?

Please acknowledge receipt of the comments Air Methods has submitted in response to this notice. A pre-addressed, stamped envelope is enclosed for your confirmation of receipt.

Thank you for the opportunity of participating in the proposed rule making process. We sincerely hope full consideration of Air Methods comments and recommendations will be taken into account prior to the final rule making process.

Sincerely,

Maurice L. Martin, Jr.
Vice President Air Medical Services Division