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BY ELECTRONIC SUBMISSION TO
DOT-DMS DOCKET NUMBER 7952
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Federal Aviation Administration
Office of Chief Counsel
ATTN: Rules Docket (AGC-200)
FAA Docket Number 28293
Room 915G
800 Independence Avenue, S.W.
Washington, D.C. 20591

Subject: FAA Docket Number 28293 – Amendment Number 121-279, 125-35, 135-77, and 145-22 – comments solicited for consideration by the Office of Management and Budget prior to issuance of “a currently valid OMB control number.”

The National Air Carrier Association (NACA) appreciates the opportunity to comment on the above-referenced final rule. NACA represents nine (9) air carriers certificated under of the Federal Aviation Regulations (FARs).

After much discussion and due consideration we find that, in several instances, the Federal Aviation Administration (FAA) has dramatically under-estimated the cost to the operator in implementing the rule and over-estimated its benefits. Using the four criteria listed in the section of the rule entitled “Paperwork Reduction Act,” we will set forth our comments below:

Criteria (i) *Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.*

Response: A number of comments received during the initial comment period indicated that historically, if any analysis has been done by the FAA on the basis of the existing Service Difficulty Reporting System, it is transparent to the operator. Others agreed that the benefit of the system is dubious. Assuming that the information to be derived by this rule is forthcoming, increased analytical benefit to the FAA, the public and the operator from the new system is optimistic at best.

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To support necessity for the proper performance of the functions of the agency, the FAA claims that the data is necessary for the agency's engineering staff to evaluate problems for potential use in preparing Airworthiness Directives (AD). There are, however, no figures supporting the number of Airworthiness Directives generated, as a result of the program. In order to justify its position, the FAA needs to offer some substantiating data.

The FAA claims that it must have this information in order to "disseminate safety data to the aviation industry, multiple government organizations, the public, the media, and legal communities." We question whether dissemination of service difficulty information to the public and the media is or even should be a required function of the agency. Additionally, the dissemination of such information from the SDR database is again, not substantiated by the FAA. The FAA provides no evidence that the current SDR database is used in such a fashion. The FAA offers no justification for the additional information requested by the final rule.

A number of respondents questioned whether the expanded reporting requirements of the new SDR Program were not duplicating information about trends that were already being tracked by the agency. For example, certain levels of corrosion discovered during any opportunity inspection of an aircraft must be reported to the manufacturer under the requirements of Airworthiness Directives mandating a Corrosion Prevention Control Program (CPCP). This information is already at the disposal of the FAA. Why must they report it again? More important, why must the operator report discrepancies found as a result of Airworthiness Directives? The trend has already been established or they would not have issued the AD. This appears to be data for data's sake.

The FAA states that the full benefit of the program has not been realized because operators have not been forthcoming with the required reports. We wonder why, if the proper performance of the agency's functions was degraded by not getting the information, it did not enforce the rule that was already in place?

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Criteria (ii) *Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.*

The statement by the FAA that the aggregate cost to the operator to process SDR's under the new Program would only represent a 5% increase is unbelievable. It is unbelievable in light of their own admission that the number of reports is likely to grow by 45%. It is especially unbelievable in light of the introduction of the JASC code. Downplaying the impact of this new code on the operator's clerical staff, denies that there are differences between it and the ATA Specification 100 code that has been acceptable to the FAA for years. It denies that it will take time to train the clerical staff to understand and use the new code. It denies that mistakes will be made that will cost time to resubmit reports. Therefore, the methodology and assumptions used by the agency in determining the cost to the operator is invalid.

The FAA also downplays the time and expense required to develop a tracking system for "open original" reports. Even if you assume that each carrier tracks their SDR reporting manually and will incur no additional computer reprogramming costs, the operator will have to develop a manual system to track "Open Original", "Closed Original", "Open Supplemental", and "Closed Supplemental" reports. Then, there is the issue of report preparation, and filing. Even if the carrier takes advantage of an e-system that allows them to file their report electronically, they would be foolish to not retain a hard copy for proof of submission. This will require an additional filing system and personnel time.

The new rule requires times and cycles be reported. While this information is hopefully accessible to the operator, it may not be immediately retrievable, particularly on parts that are not now tracked by time and cycles. It is important to realize that many operators have flight time and cycles go through several departments before it would be available for SDR reporting. Many operators still take the time and cycle information from the Aircraft Flight Log. In some cases the flight logs are transmitted to the company by company mail. Some operators send facsimile copies of the flight logs to their records department. The records department personnel must do the data entry before an accurate airframe time and cycles can be determined. Time and cycles on a discrepant part must be extrapolated from the aircraft time and cycles.

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All of this takes time and virtually guarantees that the operator will always have to file an "Open Original" report and have the added expense of submitting and tracking a "Closed Supplementary" report.

Under the heading of cost savings, the FAA projects a savings of 1.4 million dollars by having the reports sent to a central repository and relieving the Principal Maintenance Inspector of the burden of reviewing each report. This is truly voodoo economics. Even if you agree with the FAA, that the PMI should not be spending all that time reviewing the problems his/her carrier is experiencing, how do they come up with a savings of 1.4 million dollars? Is this change of policy going to reduce the number of PMIs? Will PMIs only work part-time? It is not a cost saving. It is a reallocation of the PMI's time. The agency will still be paying the PMI. Additionally, if the number of reports increases by 45%, the time needed to evaluate the reports at the "central repository" will increase accordingly. Again, the methodology and assumptions used by the agency are invalid.

Criteria (iii) *Enhance the quality, utility, and clarity of the information to be collected.*

We believe that the quality, utility, and clarity of the information collected will be no more usable than it is today. The introduction of the new JASC code will serve only to confuse the operator's clerical staff and result in less than accurate data. Indeed, the need to continually submit "supplemental reports" to complete information will dramatically DECREASE the quality, utility and clarity of the information being collected.

Training maintenance personnel on the JASC code will also decrease the quality, utility and clarity of the information collected and increase the cost of the collection to the operator. Maintenance personnel will still be required to track information by ATA code since most operators use that system for maintenance recordkeeping and other reliability information tracking. The additional code system will not add to the quality, utility or clarity of the information collected, indeed, we believe it will create confusion and the need to continually report supplemental reports correcting JASC code entries.

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Criteria (iv) *Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.*

We do not question the benefit to allowing the operator the capability of electronic filing of their SDR. That is the easy part. The collection of this information will be the problem. As noted above, obtaining time and cycles can be frustrating and time consuming. Tracking open and closed reports will be a serious burden on the operator. The operator now must develop a system to track them and find a way to ensure that someone is responsible for chasing down the information to close the report. Failure to close the report will no doubt lead to enforcement action against the operator, thereby increasing the burden of data collection on both the agency and the operator.

Respectfully submitted,

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