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Docket Management System
U.S. Department of Transportation
400 Seventh Street, SW., Room Plaza Level 401
Washington DC 20590-0001

FAA-00-8017-26

Dear Sir/Madam,

Please accept the following comments to the NPRM to CFR Title 14, Parts 43 and 45., ref. docket no. FAA-2000-8017.

In reference to proposed 43.1, people who segregate or disposition parts may not be able to determine if the part in question is life limited. Many parts may be life limited on one type certificated product and not on another. For a parts reseller (the rule does not define responsible persons as "certificated persons"), a component repair station that would not have manuals for any type certificated products, only components, or a repair station that also sells parts on a retail basis (not installed by the repair station) there are two issues.

The first, is whether the seller is responsible if the part is sold to be installed on a product that requires the part to be life limited, remembering that the part may be stocked for installation on a product which does not list the part as life limited?
Also on that issue, is a repair station in violation by just storing the part, without segregation, if the part is life limited on a type certificated product that is not on their operations specifications?

The second is the cost of manuals and the research time to determine whether a part is life limited by any (all) type certificate holders. The cost of manuals at our repair station exceeds $40,000.00 per year and covers only a small percentage of all type certificated products. Also, researching whether a part is life limited by any (all) type certificate holders is beyond difficult, it is impossible. That leaves only one option, maintaining the proposed requirement on all serialized parts. This, is also cost and time prohibitive.

In reference to proposed 43.10;

Paragraph (a): Definitions should be moved to Part 1, Section 1.1. Industry and FAA continue to agree that one of the biggest concerns we have is the lack of standardization. Improving standardization begins with standardizing the use of terms. An example would be existing Part 119, Section 119.3-Definitions. This section includes the definition of "empty weight". This defines empty weight as it applies to air carriers, but unfortunately allows Part 91 aircraft to operate with a variety of "empty weight" calculations. This causes confusion and additional cost when the aircraft is added to an air carrier certificate.

We understand that to add definitions to Part 1, Section 1.1, you have to ensure that the term is not currently used somewhere in the FARs with a different meaning. With the regulations already in .PDF format, this task is simplified using a computerized word search. It is time to use Part 1, Section 1.1 as it was intended.

Paragraph (b): The preamble states that "Paragraph (b) proposes requirements for the safe disposition of any life limited part that is removed from a type certificated product and has reached it's life limit". The preamble and the proposed paragraph (b) the contradict that statement by apparently including control of life limited parts that have not yet reached their life limit.

The above and following comments assume the intent is to regulate control of life limited parts through out their life.

Proposed paragraph (b) states that each person who removes a life limited part must ensure that the part is controlled, and states "The method of control must prevent the part from being installed after it has reached it's life limit". The only method that would ensure this would be total destruction of the part. Therefore, the verbiage should be changed to include "prevent the part from **unknowingly** being installed".

Para. (b)(1): By current regulation, the maintenance provider would check life limits at inspection, or when replacing a part that might be life limited. The operator maintains a status list for life limited parts, and must also ensure that these parts are removed before exceeding their limit. Maintenance providers would not check life limits each time a part is removed for access, such as removing a pump to change an engine seal. The proposed requirement would mean that each time any serialized part is removed, even for access, the type certificated product's list of life limited parts must be checked to see if the removed part is included. This alone would add tremendous cost to operating each aircraft. Then, if the part is listed, supporting documentation would have to be obtained from the operator before reassembly. This could mean trip delays (middle of the night, minor repairs) and research costs for all serialized parts. The need for this, and the possibility for any increased safety is doubtful given that control is already regulated by 91.417, 135.439, and 121.380, as indicated in the preamble to this proposed rule.

Additional regulation is currently provided by 43.16, 91.409(e), 125.247(a)(1), and indirectly, by many others.

Para. (b)(2): The manufacturers must be required to determine the method of marking each part, before the consequences of this paragraph could be analyzed. Could they charge for that information and what would the cost be? What tools would be required for the various methods they might develop, and at what cost? Most importantly, if the part were marked many times during it's life, until there was no space left to mark it, could we then switch to the tagging method indicated in para. (b)(5)? If so, since the part is marked, no tag would be needed and an opportunity for the part to be "stuck" on the last recorded time exists. If not, then does the part cease to be airworthy even though it has not reached it's limit.

Para. (b)(4): This paragraph seems redundant. See proposed (b)(2).

Para. (b)(5): This paragraph states that "the (part) tag will be updated each time the part is removed from service". If the tag is damaged or lost, can a new tag be issued if the part time can be determined from the last installation record?

In summary;

The existing regulations are quite clear on the responsibilities of the installer and the operator, related to life limited parts. If any additional clarity was needed, it should be added to existing 43.16, Airworthiness Limitations.

The existing regulations put the responsibility on the installer and the operator. We believe that the complexity of the proposed language, and the numerous concerns related to how to address what is just a single issue of the many portions of our industry, show that considerable thought was put into the existing regulations.

If the life limited part's life status can not be determined the part is unairworthy, the installer and the operator should not except it. We do not understand the confusion mentioned in the preamble.

If the part's life status can not be determined, the part has no value and this is a business issue.

The preamble mentions finding parts installed on aircraft that have exceeded their life limit. This violates many existing regulations as mentioned in these comments. If existing regulations did not address this issue, then it should be addressed. Since it is currently addressed, additional regulations change nothing. Enforce the existing regulations, rather than complicate them.

Clarify the method of determining a part's life limit. Currently there are at least four methods used.

1) As directed by the Type Certificate Data Sheet.

2) As directed by the maintenance manual (Through the TCDS). This is further complicated by the information being listed Airworthiness Limitations in either chapter 4 or chapter 5 of the maintenance manual.

3) As directed by a second book titled Airworthiness Limitations, also indicated as chapter 4 or 5. In these instances there are two chapters 4 and/or 5, for the product.

4) As directed by a service bulletin (Through the TCDS).

Best regards,

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Quality Assurance Manager

cc: Thomas W. Mitchell