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OFFICE OF THE  
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RULES DOCKET  
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Federal Aviation Administration  
Office of the Chief Counsel  
Attention: Rules Docket (AGC-200)  
Docket No. 28903  
800 Independence Avenue, SW  
Washington, DC 20591

**Docket No. 28903; Notice No. 97-7: Type Certification Procedures for Changed Products**

The National Air Transportation Association (NATA) represents the interests of nearly 2,000 aviation businesses nationwide including numerous providers of aircraft repair, maintenance and modification services. In this notice, the FAA proposes to require all applicants for changes to type certificated products to show compliance with the latest amendments to airworthiness standards. Analysis of the preamble leads to the conclusion that the Agency wishes to address a problem occurring within the manufacturing industry, wherein products are slightly altered numerous times, without a new type certificate, resulting in a product significantly different from the originally certificated product.

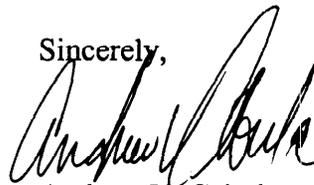
NATA is concerned that the NPRM fails to have any specificity to limit the application of the rule. While concerns with changed products must be addressed, a clear proposal to affect current manufacturing practices is necessary. Without specific language, the complexity of this rule could easily allow application of its requirements to unintended areas such as maintenance. For instance, if the interior on a Learjet 25D is replaced, the open language allows for the interpretation that this type of alteration falls within the scope of the rule. In this example, the original type certificate for a Learjet 25D was issued in 1976. If the rule were applied in this instance, it could be interpreted that the aircraft would have to comply with current Part 25 requirements for burn tests and fire blocking; a requirement that currently only affects Learjet 25D aircraft operating under FAR Part 135. The language of the preamble suggests that this is not the intention of the FAA in proposing this change.

In the NPRM, the FAA states that this new policy "will be tempered with the knowledge that a good design does not become unsafe as soon as a new regulation has been published," thereby allowing changes improving safety that do not necessarily comply with current regulations. However, the intention of the FAA is easily lost in field

application without specific guidance. To prevent such a situation, the FAA must develop specific differentiation for what types of changes will require conformance to current airworthiness standards. As an example, differentiation similar to that for major repairs and major alterations in Appendix A of Part 43 is appropriate to prevent misunderstanding. Similar definitions for changes to type certificated products would provide appropriate clarity while still allowing flexibility. NATA proposes that the FAA resolve the changed products issue with the introduction of a similar explanation for changed type certificated products.

By using vague wording in developing this regulation, the potential for confusion within the industry and FAA inspector workforce is unnecessarily high. To prevent any misunderstanding or inappropriate application of the rule, NATA recommends that the FAA reevaluate the intent of the NPRM and tighten the scope of the rule as necessary to eliminate any ambiguity.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew V. Cebula". The signature is fluid and cursive, with a large initial "A" and "C".

Andrew V. Cebula  
Vice President