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May 19, 2001

The Honorable Norman Y. Mineta
Secretary of Transportation
400 Seventh Street, SW
Washington, D.C.



Re: Part 145 of the Federal Aviation Regulations; Docket No. FAA-1999-5836 - 559

Dear Mr. Secretary:

I am writing to express Moog Inc's strong support for the letter sent to you on May 2, 2001 by Marshall S. Filler, Counsel for the Aeronautical Repair Station Association (ARSA). In his letter, Mr. Filler urged the Department not to issue a final rule on Part 145 of the Federal Aviation Regulations (FAR) until the public has another opportunity to comment on a Supplemental Notice of Proposed Rulemaking.

It is extremely important that Part 145 be updated to reflect the current state of the repair station industry. However, any new rule must be an improvement over the current regulations. As you know, the FAA has been working to revise Part 145 for 26 years. ARSA and the repair station industry have commented on an Advance Notice of Proposed Rulemaking (ANPRM) issued in 1989, participated in several public hearings and, most recently, commented again on a Notice of Proposed Rulemaking (NPRM) issued in June 1999.

It seems incredible to us that after all these years of review, and in spite of promises in the ANPRM and NPRM that the regulations would be modernized, the FAA's draft final rule does not apparently address such critical issues as the need for a new rating system, mandatory quality assurance programs, operating at multiple locations under the same quality system and training program requirements. We were also extremely disappointed that the NPRM was poorly drafted and organized and that it proposed to perpetuate obsolete material, such as the job functions listed in Part 145, Appendix A, some of which have not been performed in this industry in years.

Mr. Secretary, our repair station has been operating for 40 years and we have experienced the following problems with the current Part 145. As repair station associated with an accessory OEM, Appendix A as listed above is in it's current form is of no-use to our company. In manufacturing accessories it is many times

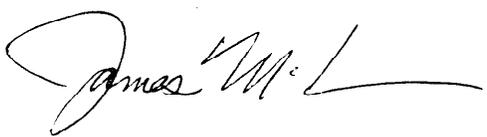
more cost effective to manufacture a part outside our company due to specific technologies required. In other words, it makes no sense to duplicate the capability internally due to the high price of equipment, training etc. Appendix A, because it makes no allowances for accessories and no items are asterisked, forces us to either perform the repair in house, send the repair to a 3rd party who is certificated but must develop a repair capability, or scrap the part. This, rather than sending the part outside to the vendor's who originally manufactured this component, but who due to his own decision, does not want to be a certificated repair station. This puts us at a disadvantage and does not serve our customer well, especially if we scrap their component, rather than perform the repair as is required.

There are several other reasons that we believe merit the issuance of a Supplemental NPRM. First, the repair station panel that was established at the direction of the Congress will soon meet and make recommendations concerning many important Part 145 issues, including foreign repair stations. The FAA should consider the repair station panel's recommendations before issuing a final Part 145 rule. As a JAA-accepted repair station, we perform maintenance on many foreign-registered components and are very concerned about issues affecting international competition. Second, in view of the FAA's 26-year attempt at improving the rule and the 10 year period between the ANPRM and NPRM, it only seems fair to give the public one more opportunity to comment. Finally, because the FAA apparently intends to defer many of the more important issues to a future rulemaking proceeding, we do not understand why the rule must be issued now when a supplemental proposal and comments will undoubtedly improve the final product.

Mr. Secretary, we are hopeful that, with your help, we can minimize the number of unintended consequences associated with this rulemaking. These consequences occur because an agency policy may be ambiguous or non-existent, resulting in different interpretations by the various FAA regions and local offices. When this happens, some companies are treated differently than others, often suffering competitive disadvantages as a result. We are hoping to minimize these situations by asking you for just a little more time to work with the FAA to improve this rule.

We appreciate the opportunity to express our views on this important subject and hope that our comments will assist you in your deliberations.

Sincerely,



James McKenna

Moog Aircraft Group
Customer Support
Product Manager

cc: The Honorable Jane F. Garvey

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