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JET AVIATION

May 16, 2002

Docket Management System
US Department of Transportation
Room Plaza 401
400 Seventh Street, SW
Washington DC, 20590-0001

02 JUN -4 PM 11:27
DEPT. OF TRANSPORTATION

Re: Docket FAA-2002-11301 - 16

Dear Sir/Madam

We operate four FAA Certified Repair Stations under CFR Title 14, Part 145, and therefore have a considerable interest in the NPRM listed below.

Please accept the following comments to the NPRM to CFR 14, Part 121 (Docket No. FAA-2002-11301).

All of our concerns are regarding the proposed requirement that all tiers of maintenance contractors would be required to be in an FAA approved Anti Drug and Alcohol Program rather than the current policy of first tier contractors. There does not appear to be any justification listed in the NPRM for this change.

We must first state that we agree that there is no place in our industry, or any other, for those that would work while under the influence of drugs and/or alcohol. We also believe this issue should be addressed by existing laws that pertain to everyone and should be and are, financially supported by the entire taxed populous. Only through specific justifications should the burden be placed on our small industry. With that, we ask the following questions;

- 1) Are there any statistics that show that any mechanical failures were of equipment maintained by persons under the influence of drugs and/or alcohol?
- 2) Understanding that since only first tier contractors are required to be tested, making the first question difficult to answer, we ask if there are any statistics showing a higher percentage of failures of equipment maintained by those not required to be in an FAA approved program? Those would include second and higher tier certificated and uncertificated contractors.



3) If the answer to question two is yes, has any analysis been completed to determine if there are any other contributors to the failures such as lack of training, fatigue, lighting, etc. at those facilities or is the only common denominator the lack of an FAA approved Anti Drug and Alcohol Program?

Our issues with including second and higher tier contractors are as follows.

There are many repairs/functions that are not performed by FAA approved repair stations, such as repair of cabin entertainment components. The FAA has been approving the installation of televisions, VCRs, coffee makers, radios, etc., for many years. These components are manufactured by companies such as Sony, Panasonic, GE, Bunn, etc. They are typically sent to the manufacturer's service centers for repair. These manufacturers are not going to accept the expense of committing to an FAA approved Anti Drug and Alcohol Program.

Our industry constitutes an insignificant portion of their total sales/service volume. They have no reason to include their personnel in an FAA D&A Program. This will leave our industry with two possible options.

Option 1 - Replace inoperative units with new units.

This will place a burden on both industry and FAA, as models are replaced constantly in the entertainment electronics industry. Replacement models will require major/minor determination and often FAA approval for installation. Weights, structural considerations, electrical load analysis, etc., will have to be researched and a repair now costing one hundred dollars, may cost thousands of dollars to replace a single unit. Also, most electronic components typically fail in the beginning of their life cycle, or not at all (see Maintenance Steering Group MSG 2-MSG 3 research findings for validation). Also, if the manufacturers of these components cannot be contracted to repair them, warranty repairs will also be unavailable and those costs also absorbed by our industry.

Option 2 – Pay the cost of the program for the contractors.

To be sure that a tested person perform all work, all employees at a particular site would have to be tested. Any one company listed above might have hundreds of employees at a particular work site. Based on our current cost per person, the cost per year for one site (200 employees) would be:



Administrative fee	\$6.00 per person, per year
Initial (prehire) specimen collection fee	\$20.00 per person
Initial (prehire) laboratory test	\$44.00 " "
Pay contractor for 2 hours lost for each test	\$120.00 " "
At conservative hourly rate of \$60.00 (drive to collection site, test, and return to work)	
Total prehire cost per person	<u>\$190.00</u>
Times 200 employees	\$38,000.00

Add to that the required 25% retested per year (less yearly admin fees) and the total cost for one contractor would be \$47,200.00. By the proposed rule, since the employees would then be on our program, rather than the contractors program, each company contracting them would need to duplicate the above costs.

Obviously, this is just an exercise, as it is not feasible. In addition to the example of electronic components mentioned, the following is a partial list of other contracted maintenance functions that would have to be included at similar costs.

- Cosmetic plating/coatings (chrome, gold, silver, anodizing, etc.)
- Machining
- Painting
- Manufacture (fabricating per FAR 43) of materials such as carpets, wood products, plastics, etc., used in maintenance/alteration
- Flame resistant coating and testing (even though each test is approved by a DER)

The list is endless and some justification for the proposed requirements is needed. Unless there is additional data regarding safety that is not included in the NPRM, we believe the current method of inspection/testing before approval for return to service by a certificated and tested person (Repair Station), ensures safety at an acceptable cost.

Sincerely,

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