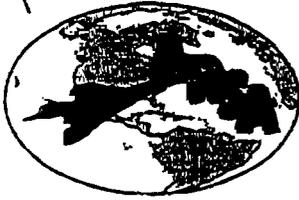


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### Aeronautical Repair Station Association

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Docket #  
11301

FAA-02-11301-40

January 10, 2003

**BY REGULAR MAIL AND FACSIMILE (202) 267- 3278**

Thomas C. Smith  
Manager  
Operations Regulatory Analysis Branch, APO-310  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

DEPT. OF TRANSPORTATION  
DOCKET #  
03 FEB 13 PM 4:26

Re: Notice of Proposed Rulemaking, Drug & Alcohol Program, Docket Number FAA-2002-11301

Dear Mr. Smith:

This is an interim response to your letter of December 20, 2002 in which you requested further information from the Aeronautical Repair Station Association (ARSA) relating to the membership survey conducted in connection with the above rulemaking proposal.

ARSA is prepared to perform a follow-up survey to answer many of the FAA's questions. In that regard, we would like to meet with you during the week of January 20, 2003 to discuss the content and timing for the survey. We believe such a meeting would help us refine your request and thereby facilitate collection of the data. In the meantime, we wanted to give you some preliminary feedback.

You requested documentation that establishes that the survey respondents accurately reflect the maintenance industry. Since completion of the survey was voluntary, we do not know whether the respondents were chosen by a "statistically valid random process." However, ARSA believes that the 325 respondents are certainly representative of the domestic aviation maintenance industry. They include large and small companies, those affiliated with manufacturers as well as independents, repair stations that hold ratings in virtually every category and class specified in Part 145, and those that perform maintenance on completed aircraft, other type-certificated products (i.e., engines and propellers) and components that are installed on air carrier equipment.

We are prepared to provide the FAA with a list of the companies that responded to the survey if that will assist the agency in determining that the respondents accurately reflect the domestic maintenance industry as a whole. However, in light of previous assurances that their identities and the information they provided would be kept confidential, we would need to obtain a company's permission to advise the FAA that it participated in the survey. Nevertheless, we are willing to make this request as part of the follow-up survey.

Thomas C. Smith  
January 13, 2003  
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We would also like to point out that some of the information you requested is available from the FAA's own files. For example, in an effort to determine the number of subcontractors that support the maintenance industry, you asked for the names of the subcontractors in order to determine the extent to which multiple repair stations are using the same contractor. That is certainly a fair question. However, section 145.11(a)(3) of the Federal Aviation Regulations (FAR) requires repair stations to list the maintenance functions performed for them under contract. Because the names of both certificated and non-certificated subcontractors are normally provided to the FAA along with the list of maintenance functions they perform, this information is available from the Flight Standards Service. This would provide the FAA with the desired information for all repair stations rather than those that responded to the ARSA survey.

In light of the amount of information you requested and the time needed to develop the survey and compile the results, we do not believe the January 20, 2003 date mentioned in your letter provided sufficient time to accomplish these tasks. We would also point out that your letter arrived between the Christmas and New Year's holiday, more than a week after it was dated and five months after ARSA's comments were filed.

ARSA would be happy to assist the FAA in developing the data requested and hope that we can agree on a mutually acceptable protocol and timetable for conducting the survey. Toward this end, Marshall Filler (ARSA's General Counsel) or I will contact you during the week of January 13, 2003 to schedule a mutually convenient date for the meeting.

Thank you for your consideration.

Sincerely,



Sarah MacLeod  
Executive Director