AIR TRANSPORT ASSOCIATION

August 30, 2004

Docket Management Facility
U.S. Department of Transportation
400 Seventh Street, SW
Nassif Building, Room PL-401
Washington, DC 20590-0001

Re: **Fuel Tank Safety Compliance Extension and Aging Airplane Program Update**
Final Rule; Request for Comments
Docket No. FAA-2004-17681
69 Fed. Reg. 45935 (July 30, 2004)

Dear Sir or Madam:

The Air Transport Association of America, Inc. ("ATA") submits these comments in response to the Final Rule that amended regulations governing the maintenance programs of the fuel tank systems of certain turbine-powered transport category airplanes (the "Rule"). Per FAA's request, these comments pertain only to Amendment No. 91-283, 121-305, 125-46, 129-39 to the Rule, which extended from December 6, 2004, to December 16, 2008, the termination of the compliance period for incorporating into the maintenance programs of carriers certain maintenance and inspection instructions.[1]

The ATA is the principal trade and service organization of the U.S. scheduled airline industry, and our members[2] account for 95 percent of the passenger and cargo traffic carried annually by U.S. scheduled airlines. ATA's members, currently operating a fleet of 4,474 aircraft, possess in-depth practical knowledge of fuel tank system maintenance programs, and all members will be required to comply with the Rule before the termination of the compliance period. In addition, the ATA and several of its members participated in the Aviation Rulemaking Advisory Committee's Fuel Tank Inerting Harmonization Working Group that in addition to analyzing inerting and other methods of reducing flammability levels in fuel tanks, assessed certain maintenance and design factors that could reduce ignition sources and improve the safety of fuel tank systems. The ATA and several of its members also participated in industry group efforts to develop guidance for developing the maintenance and inspection instructions needed to comply with the Rule. For these reasons, ATA has a unique interest in this rulemaking action.

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[1] 69 Fed. Reg. at 51940 (Docket No.FAA-2004-17681, August 23, 2004) extended from August 30, 2004, to September 29, 2004, only the period for submitting comments on FAA's intentions for the Aging Airplane Program.

[2] ATA is the principal trade and service organization of the U.S. scheduled airline industry. Members are: ABX Air, Alaska Airlines, Aloha Airlines, American West Airlines, American Airlines, ASTAR Air Cargo, ATA Airlines, Atlas Air, Continental Airlines, Delta Air Lines, Menlo Worldwide Forwarding, Evergreen International Airlines, FedEx Corp., Hawaiian Airlines, JetBlue Airways, Midwest Airlines, Northwest Airlines, Polar Air Cargo, Southwest Airlines, United Airlines, UPS Airlines, and US Airways.
Associate members are: Aerovías de México, Air Canada, Air Jamaica, and Mexicana de Aviación.

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The ATA strongly supports the FAA in extending the termination of the operational compliance date of the Rule from December 6, 2004, to December 16, 2008. This action will allow the alignment of maintenance program improvements and schedules with similar improvements and schedules stemming from the aging systems program currently in development. Further, it can prevent potentially overlapping requirements, and unnecessary disruptions in service and disturbing of critical systems. The extension also facilitates the development of ways to resolve difficulties experienced in addressing the actual configuration of the fuel tank systems of in-service airplanes in addition to their original configurations. The numerous airworthiness directives issued over the last eight years to improve the safety of fuel tank systems allows the FAA to adopt the extension while maintaining an acceptable level of safety for the fleet of in-service transport airplanes.

The ATA agrees that design approval holders must be made "... fully aware of what is necessary to show compliance with SFAR 88, in order to guarantee that operators have documents they need to comply with the operational rules."[3] The ATA and several of its members participated in industry efforts to develop the guidance necessary to ensure that awareness. In follow-on comments to the Aging Airplane Program, the ATA will address the importance of providing the necessary type certificate holder documents in time for supplemental type certificate holders, and in sequence, operators to adjust their maintenance programs well before the end of the compliance period.

We sincerely appreciate both the opportunity to comment on the Rule, and FAA's effort to develop a coordinated plan for complying with the multi-faceted and challenging Aging Airplane Program.

Sincerely,

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Mr. James Ballough, FAA, AFS-1
Mr. John Hickey, FAA, AIR-1
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[3] 69 Fed. Reg. at 45939 (Docket No.FAA-2004-17681, July 30, 2004)