



News from the Hill

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Navigating the Terrors of New Regulations

The law can be frightening to anyone. The law surrounds us—especially in aviation, which is a highly regulated industry. But that does not change the fact that when we are faced with serious compliance or enforcement questions, we tend to breathe a little more quickly, our hearts beat a little more rapidly, and our palms may even begin to sweat.

We feel it when a police officer pulls us over (“Isn’t the speed limit here 55? I thought I was doing the speed limit?”). We feel it when we get a letter on a lawyer’s letterhead (“Why would they be sending me a letter? Are they going to sue me?”). And today, many AEA members are feeling this same trepidation as they approach the compliance date for the new Part 145 Training Program regulations.

April 6, 2006. We’ve been anticipating the date for quite some time. And AEA has now spent, literally, years building compliance tools for its membership. There is help; you are not alone.

By now, you should know your training manual is due in the same month in which your Part 145 certificate was issued. So, if your certificate was issued on a day in March in any year, then you are one of the lucky ones who will not need to submit a training manual until the end of March 2007. A clever delaying tactic might be to make a quick application for a new certificate

so your certificate bears an issue date in March 2006. It has to be a new certificate—an amendment or change in ratings wouldn’t be enough.

On the other hand, if your certificate was issued in April of any year, then you must submit your training manual for review no later than the end of April 2006.

This article highlights a few of the more-difficult-to-comply-with aspects of the training regulations and guidance, and explains what AEA is doing to make it easy for AEA members to obtain for themselves, and provide to their employees, the sort of training they need—not only for mere compliance purposes, but also to assure the company has the tools it needs to continue to excel in business.

Using AEA’s Resources for Your Training Program

Even though we’ve had plenty of warning, this is still a brand-new regulation and anything new can be a little frightening. The idea of training is generally nothing new to AEA members, but the idea of having a formal training program that is recorded according to a formal documentation scheme is alien to all but a few of our members.

By now, you should know about AEA’s Resource One website, which holds a treasure trove of valuable information to help support your training program. That trove holds information

that can be used as training materials, as well as data to help support your training efforts—it even holds the sample training manual that has been the subject of AEA’s vice president of government affairs, Ric Peri’s recent compliance lectures.

But what about AEA’s other resources? AEA will continue to support your training needs at its regional meetings and its annual convention. These events will include both technical and legal compliance information to supplement your training programs and to support your business needs.

AEA’s monthly magazine, *Avionics News*, also is a valuable tool. That’s right, the magazine you are holding in your hands has been approved for IA recurrent training for many years now.

But technical training is often the least of the worries for most AEA members. Everyone knows technical training is available from AEA—from manufacturers, from schools and even from the business veterans who provide on-the-job training to the younger men and women in the industry.

Training on Legal Compliance

The greatest worry for many AEA members is legal training. The FAA’s training guidance suggests several fields of the law on which training is recommended. The fact is, many of these areas of the law are required top-

ics of training under other laws and regulations.

AEA will provide a seminar on the more legal-oriented training issues as a Fast-Trak program at this year's annual convention. That program, "Repair Station Training Details: HAZMAT/OSHA/EPA and Security," will focus on training requirements that are derived from outside the familiar bounds of the Federal Aviation Regulations but are strongly recommended by the FAA as elements of the Part 145 Training Program. The Fast-Trak program is meant to facilitate and support the training efforts of training coordinators for AEA members. The training also is appropriate as initial training for repair station personnel who want to explicitly incorporate AEA annual training into their repair station training program.

However, AEA's Fast-Trak program will not satisfy all legal requirements for training. For example, it would be impossible to address all of the hazardous materials requirements that might apply to a hazmat employer. But the course will satisfy the need for familiarization training, and it also will point out legal requirements for additional training so attendees can fully comprehend what additional training could be necessary to meet any additional legal requirements that may apply to their particular business models.

OSHA Training

OSHA is an acronym that stands for both the Occupational Safety and Health Act and for the Occupational Safety and Health Administration. OSHA (the administration) is the agency responsible for enforcing the act and for promulgating regulations that implement the act. OSHA's regulations require a variety of training, depending on the sort of work your business is performing.

A more complete analysis of OSHA's

training requirements was published in the February 2005 edition of *Avionics News*. A few of the more common OSHA training areas for repair stations include:

- Generally, one or more individuals must be trained in first aid, unless there is an infirmary, clinic or hospital nearby that is used for the treatment of all injured employees.

- If you have fire extinguishers on site, you must have familiarization training for general principles of fire-extinguisher use and the hazards involved with incipient stage firefighting. If you have hoses instead, you must train in the use of the hose stations.

- Repair stations using vehicle-mounted elevating and rotating work platforms or manlifts must provide a complete training program for such equipment. For example, such equipment may be used for installing antenna on aircraft, for painting aircraft or for performing heavy maintenance.

- If hearing protection is required (average 85 decibels or more—includes machine shops and other loud facilities), hearing protection training also is required.

- Facilities in which cutters, welders or brazers are used must provide safety training.

- Whenever employees may be exposed to hazardous chemicals, hazard communication is necessary. This can include chemicals used as solvents, cleaners, degreasers, strippers, adhesives, paints and other coatings. This is in addition to hazmat shipping training and may be incorporated into such training.

Hazmat Training

Repair stations use a variety of hazardous materials in their day-to-day operations and AEA members who do bench work face a number of hazardous materials among the items they see as well.

Do you work on avionics with a back-up battery? The battery is hazmat. There are simple ways to prepare batteries (and apparatus with batteries installed) for shipment, but do you know the simple steps that turn a six-figure fine into a compliant shipment? How about new display screens with radioactive gases? Classic instruments with radium paint on the dials? A small canned paint sample you send to a customer as a tester? Alodine? Ethyl methyl chloride? These are all potential hazmats that are regulated. Increasingly, government inspectors are becoming aware of the hazmat regulations and enforcing them (and not just in the United States.)

In addition to hazard communication training for the dangerous goods used in your facility, any dangerous good that is shipped is regulated under the hazardous materials transportation regulations. Anyone who makes any decision or takes any action that could affect the safe transportation of a hazardous material is considered a hazmat employee who must be trained under the regulations.

The penalties for hazmat non-compliance are severe. It is possible for the FAA to propose a \$400,000 fine for a single violation. It is a good idea to make certain your non-hazmat employees are familiar with hazmat standards as well so they know to seek the advice of your hazmat-trained personnel when faced with a potential hazmat issue.

Understanding the hazmat regulations and obtaining competent hazmat training can be particularly daunting, so AEA has placed emphasis on this area of compliance.

In addition to the familiarization training offered during the Fast Trak session at the annual convention, AEA also will host a two-day training session from April 17-18, in Palm Springs, Calif., immediately prior to the convention. AEA will also offer several more

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sessions throughout the year. This is a convenient way to get your personnel fully trained to meet the regulatory training requirements.

AEA is working on developing a CD training course for the safe transportation of hazardous materials, which will allow AEA members to obtain training for their personnel at their own pace and on their own schedule. Like the live courses offered by AEA, this training is designed to fully meet the training requirements of the regulations and also is tailored to the particular needs of the AEA community.

Conclusion

It lurks just beyond your peripheral vision. Turn quickly and you may catch a fleeting glimpse, but then it is gone. It preys upon you, refusing to show itself, but you know it's there from the way the hairs raise on the back of your neck. It waits to pounce. It is a regulatory deadline.

If you are feeling the terror of the unknown creeping up behind you, then you need to attend AEA's hazardous materials training from April 17-18, the "Repair Station Training Details" Fast Trak session on April 19, and the AEA Convention and Trade Show from April 19-22. We'll see you there. □

AEA Convention & Trade Show
Palm Springs, Calif.
Palm Springs Convention Center

Repair Station Training Program —Management

*presented by Ric Peri, AEA Vice President
of Government & Industry Affairs*

**Wednesday, April 19
8:00 a.m. - Noon**

Fast Trak Sessions are included in a full convention registration. Visit www.aea.net for more information.