The View from Washington

BY RIC PERI
VICE PRESIDENT, AEA GOVERNMENT & INDUSTRY AFFAIRS

In a speech to the Aero Club of Washington on February 20, 2003, Federal Aviation Administration Administrator Marion Blakey announced a new customer-service initiative that provides written guidance and training to all managers and supervisors in the FAAregulation and certification offices throughout the country on applying FAA rules and policies in a standard and consistent manner. She asked to know from her customers if they're not being consistent. In her speech, Administrator Blakey was clear she intended to let the public know that they have the right to ask for review on any inspector's decision, on any call that's made in the certification process "that they can 'buck it up' to first-line supervisors, field office managers, regional division managers, or even to Washington if necessary," she said, with no fear of retribution. She concluded that the information on how to do this—names, titles and phone numbers—will be prominently displayed on the Web and in all regional and field offices and she asked for industries to help make this program a success.

The Association is extremely pleased with this initiative, not just because it looks a lot like the Dispute Resolution Guide that AEA has published for years but because of her recognition and commitment to customer service. Here in Washington, the AEA has taken a position that we are goal-orientated not recognition-orientated and regardless who or where the proposal originated, we support their efforts.

It is only through an active partnership between the regulated and the regulators can the FAA achieve their goals of improved customer service. It was the aviation industry that first recognized the need for a strong government-industry partnership, when in the early 1920s they petitioned Congress for the Air Commerce Act; the origins of today's FAA. The early leaders of the aviation industry recognized the need for standardization and oversight of this fledgling industry by the Federal government if it was ever to gain the strength that most envisioned.

Seldom is any project accomplished solo. We work on numerous projects in cooperation with other aviation, and in some cases non-aviation, industry advocacy groups. The goal is to improve the overall federal government's impact on our members'ability to manage a profitable business. Who initiated the project, or who gets the credit are minor concerns for us, your Association, as we are dedicated to working together with other advocacy groups, various industry representatives and the federal agencies to improve the overall business atmosphere of general aviation.

We work with the Aircraft Owners and Pilots Association (AOPA) on issues of Airport Security and new technology innovations. We stand together to enhance field approvals and aircraft certification issues. Our individual opposition to the recent regulations regarding certificate revocation complements and helps each other's organization to achieve the goal of modifying the final rule.

We stand side-by-side with the Aeronautical Repair Station Association (ARSA) and the National Air Transportation Association (NATA) to improve the regulations defining the management of repair stations. To this end, AEA, along with our association partners, have announced nine regional Repair Station Seminars that will be conducted from April until August to bring together FAA personnel and industry to train them together on the new Part 145.

AEA supports the efforts of the Helicopter Association International (HAI) in their efforts to reform Tort laws; the single greatest cause of increased insurance premiums nationwide.

Your Association works with the General Aviation Manufacturers Association (GAMA) on issues of avionics standardization and Flight Manual Supplements, and with the National Business Aviation Association (NBAA) on issues of continued airworthiness. And finally, we support the efforts of the Professional Aviation Maintenance Association (PAMA) in their efforts to recognize the professionalism of the individual aviation maintenance professionals.

The success of general aviation in Washington is dependant on the success generated through the synergy of a unified industry. The success of Administrator Blakey's new customer service initiative will only be successful through the synergy that is created when industry partners with the Agency for a common goal. If we are to help the Administrator's employees apply FAArules and policies in a standard and consistent manner, we must hold them accountable to these very same rules and policies.

Accountability is the true measure

of professionalism.

I have met few in this industry that object to "honest" accountability. We have long recognized that professionalism and growth come from accountability. Beyond our best intentions, errors do occur and only by first identifying these discrepancies can they be corrected and equally important, can we learn from our mistakes.

The same must also be true for FAApersonnel. The public must hold them accountable to the rules and regulations that govern their behavior; no one in the FAA or any other government agency is infallible. It is totally unacceptable for any public servant to object to questions of source documents, references to quoted regulations, or applicability of a recommendation.

The local FAA inspector is employed by the federal government as an aviation safety professional. They are not registered experts on repair station business practices. Their focus must be aviation safety. If not, they are not doing their job. The Federal Aviation Regulations regulate air safety. Every discrepancy, requirement or recommendation must be referenced to the FARs. If not, they are not doing their job. And because we rely so heavily on the relationship between our repair station and the local inspector, we begin to expect less and tolerate less from our civil servants.

On the other hand, holding them accountable to statements, comments and recommendations makes them more professional as inspectors and auditors. Few inspectors are so learned that they can learn nothing new, few inspectors have memorized the regulations so thoroughly that they can recite them without error; few inspectors are infallible. In a repair station audit course I attended a few years ago, the instructor stated that during an initial repair station audit nearly half of the items found during the inspection are not discrepancies at all. This is consistent with my experience as a technician. How many items do you find during an inspection that when you later research it you find that what you thought to be a discrepancy is, in fact, within tolerance?

If every other item of concern raised by a trained auditor is actually "within tolerance," what is the track record of your inspector?

In order for Administrator Blakey's initiative to be a success we must ask the questions, get the references, read the regulations, and, when you don't agree, raise the issue to the next level.

This is not an easy challenge. It is much easier to bestow absolute authority upon your inspector and operate your business according to their personal whims. It is much harder and time consuming to hold them accountable. If you choose the later, in the end everyone wins: your inspector becomes a better inspector, you have a safer and more efficient repair station, and the Administrator has a better workforce.

In cards, a full house beats two of a kind: in aviation safety, the Federal Aviation Regulations always beat an inspector's opinion. q

Regulatory Update

United States

Part 145 Training Schedule

In an effort to minimize misinterpretations of the final Advisory Circular (AC) on FAR 145 that is scheduled to be published this spring, the FAArecently approved a proposal offered by AEA and the National Air Transportation Association (NATA) to jointly sponsor regional meetings between FAA headquarters, FAA regional offices, Flight Standards District Offices (FSDOs) and operators of Part 145 certificated repair stations.

The purpose of these meetings will be for FAA headquarters to present and explain the contents of the Part 145 AC and to hopefully minimize any misunderstandings or miscommunications between the FAA and the affected repair stations.

The plan proposed by the AEA and NATA includes a series of half-day meetings that will be held at the locations listed below:

Continued on page 24

Part 145 Training Schedule

Southern (ASO) (AEA Convention)	Orlando, FL	April 22, 2003
Western Pacific (AWP) (NATA Convention)	Las Vegas, NV	May 16, 2003
Central (ACE)	Kansas City, MO	June 10, 2003
New England (ANE)	Manchester, NH,	June 24, 2003
Eastern (AEA)	Teterboro Airport,, NJ	July 8, 2003
Southwest (ASW)	Dallas/Fort Worth, TX,	July 22, 2003
Great Lakes Region (AGL)	Chicago, IL,	August 5, 2003
Northwest Mountain (ANM)	Seattle, WA,	August 19, 2003
Northwest Mountain (ANM)	Salt Lake City, UT	September 2, 2003
Alaska Region (AAL)	Anchorage, AK	September 16, 2003

FAA Publishes Special Conditions for Learjet Model 24/25 Series Airplanes relating to High Intensity Radiated Fields (HIRF)

The FAA recently issued two special conditions related to early Learjet RVSM modifications. Repair stations that are interested in developing STCs for older aircraft or for performing maintenance on RVSM compliant aircraft should be aware of these additional requirements. These special conditions are not limited to this specific AVCON modification but have also been imposed on other aircraft. The AVCON modification is being highlighted only because it is a good description of the FAAphilosophy.

The FAA has issued these special conditions for the Learjet Model 24/25 Series airplanes, modified by Avcon Industries Inc. The Agency has determined that these modified airplanes will have novel and unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

On July 10, 2002, Avcon Industries Inc., P.O. Box 748, Newton, Kan. 67144, applied for a supplemental type certificate (STC) to modify Learjet Model 24/25 series airplanes. The modification incorporates the installation of dual Innovative Solutions and Support Inc. (IS&S) Air Data Display Units (ADDU) and a single IS&S Analog Interface Unit (AIU) that are replacements for the existing altimetry system. The dual IS&S ADDU and a single IS&S AIU system use electronics to a far greater extent than the original altimetry system and may be more susceptible to electrical and magnetic interference caused by high-intensity radiated fields (HIRF) external to the airplane. This disruption of these signals could result in loss of altitude, or present misleading information to the pilot.

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive avionics/electronics and electrical systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by reference, special conditions are needed

Continued from page 22

for the Learjet Model 24/25 series airplanes, modified by Avcon Industries Inc. These special conditions require that new sensitive avionics/electronics and electrical systems that perform critical functions, be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

With the trend toward increased power levels from ground-based transmitters, and the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics/electronics and electrical systems to HIRF must be established.

FAA publishes supplemental proposal for Reduced Vertical Separation Minimum in Domestic United States Airspace 14 CFR Part 91

The FAA has published a supplemental Notice of Proposed Rulemaking (NPRM) on Reduced Vertical Separation Minimum in Domestic United States Airspace (DRVSM). The FAA is adding a proposal to implement Reduced Vertical Separation Minimum (RVSM) between flight levels (FL) 290-410 in Atlantic High and Gulf of Mexico High Offshore airspace and in the San Juan Flight Information Region (FIR). This addition to the proposal better defines RVSM airspace off the eastern and southern coasts of the United States and harmonizes RVSM operations off the east coast of the United States between adjoining airspaces in the domestic U.S., Atlantic High Offshore, and the New York Oceanic FIR. The FAA also proposes to remove the proposed option that would have permitted part 91 turbo-propeller aircraft to operate in DRVSM airspace with a single RVSM compliant altimeter.

Summary of the NPRM Published on May 10, 2002

The NPRM published on May 10, 2002, proposed to implement (RVSM) between flight levels 290-410 over the contiguous United States and Alaska and the portion of the Gulf of Mexico where the FAA provides air traffic services. RVSM allows 1,000 feet of vertical separation between aircraft operating between FL 290-410. The FAA would only apply reduced vertical separation minimum between aircraft that meet stringent altimeter and auto-pilot performance requirements. We proposed the action to assist aircraft operators to save fuel and time, to enhance air traffic control flexibility and to provide the potential for enhanced airspace capacity.

Summary of Proposed Changes to the NPRM

We are proposing some changes to the NPRM. First, we propose to add Gulf of Mexico High and Atlantic High Offshore Airspace to the list of potential RVSM airspace published in part 91, Appendix G, section 8 (Airspace Designation). Second, in response to a comment made by the Air Transport Association, in the same timeframe as domestic United States implementation, we propose to implement RVSM between FL 290-410 in the San Juan FIR and in the airspace corridor between Florida and the San Juan FIR. Third, we propose to remove the proposal that would have allowed part 91 turbo-propeller aircraft to operate in RVSM airspace with a single RVSM compliant altimeter. The part 91 proposal received opposition from pilot organizations and civil aviation authorities of other countries, including countries with airspace adjoining the U.S.

Withdrawal of the Proposal To Permit a Single RVSM-Compliant Altimeter

The RVSM standards for aircraft approval are published in 14 CFR part 91, Appendix G, section 2. Section 2 calls for the aircraft to be equipped with two independent altitude measurement systems. In the NPRM, the FAAproposed that turbo-propeller aircraft operated under part 91 that were equipped with a single RVSM-compliant altitude measurement system and all other RVSM required aircraft systems could be considered eligible to conduct RVSM operations within the U.S. airspace and the airspace of foreign countries that authorize such a provision.

In making the proposal, they recognized that the precedence in the first five years of RVSM operations was for RVSM-compliant aircraft to be equipped with two altimetry systems. Both FAA regulations and other civil aviation authorities worldwide followed this precedence. They noted, however, that the 1992 Edition 1 of the International Civil Aviation Authority (ICAO) Manual on RVSM (ICAO Document 9574) contained provision for small aircraft to be equipped with a single RVSM-compliant altimetry system and elected to make the NPRM proposal.

The FAA proposes to withdraw the proposal to allow turbo-propeller aircraft operated under part 91 and equipped with a single RVSM-compliant altimeter to conduct RVSM operations within the United States and foreign countries adopting that provision. The Agency has concluded that the benefit is not significant enough to warrant changing the RVSM aircraft equipage standard that the FAA and other world authorities have applied for the past five years.

Comments for this supplemental NPRM must be submitted to the FAA before April 14, 2003.

Continued from page 22

Australia:

AC 21-30(2)

The Civil Aviation Safety Authority (CASA) published an amendment to AC 21-30(2) - Type acceptance certificates for imported aircraft on February 28, 2003. AC 21-30(2) provides information and guidance to applicants applying for the issue of a Type Acceptable Certificate (TAC) for foreign aircraft types, using the automatic acceptance procedures of CASR 21.029A.

This draft Advisory Circular can be viewed at http://www.casa.gov.au/avreg/newrules/casr/021.htm#docs

Send comments to Gary Carr by e-mail (carr_gj@casa.gov.au).

Maintenance Frequently Asked Questions

The frequently asked questions from the July 2002 CASA Maintenance Seminar are available on the CASA website. These questions and the Maintenance Standards answers can be viewed at:http://www.casa.gov.au/avreg/newrules/misc/faq_maint.htm

Joint Aviation Authorities

Annual Harmonization Meeting

The JAA has announced the 20th Annual Joint Aviation Authorities and Federal Aviation Authorities International Conference dates and location. The meeting will be held in Reykjavik, Iceland from Thursday, May 29 to Tuesday, June 3, 2003. Additional information about the conference can be found on the JAA website: http://www.jaa.nl/conference/conference.html

NPA 20-10

The JAA has published NPA 20-10 which addresses the continued airworthiness of ageing aircraft structures. In reviewing this document it appears that antenna installations on older aircraft may generate additional design and certification requirements.

The proposal states that "Any modification or Supplemental Type Certificates (STC) affecting primary structure could have an effect on one or all aspects of ageing aircraft assessment. Such structural changes will need the same consideration as the basic aircraft and the operator should seek support from the STC holder or an approved Design Organization.

This document can be reviewed on the JAA website at: http://www.jaa.nl/catalogue/npas.html

Members are encouraged to review this document and submit your comments to the JAA prior to June 1, 2003.

NPA-AWO-13

The JAAhas published NPA-AWO-13 which addresses head-up guidance systems for approach and landing in low visibility.

Current JAA airworthiness requirements for the use of head-up guidance systems for approach and landing in low visibility can be found under JAA Interim Policy INT/POL/AWO/1 and INT/POL/AWO/2. These Policies refer to JAR-HUDS Papers 901 and 902 which were developed in the early 1990's. This NPA identifies the changes required to JAR AWO Subparts 1, 2, and 3 to incorporate the content of these Interim Policies.

This document can be reviewed on the JAA website at: http://www.jaa.nl/catalogue/npas.html

Affected members are encouraged to review this document and submit your comments to the JAA prior to June 1, 2003. q