



April 16, 2006

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

RE: Docket No. FAA-2006-26480; Repair Stations Notice of Proposed Rulemaking

EAA (Experimental Aircraft Association) is the world leader in recreational aviation. With an international membership of 170,000, EAA brings together aviation enthusiasts, pilots, and aircraft owners who are dedicated to the continued growth of aviation, the preservation of its history, and a commitment to aviation's future. EAA programs, activities, and events are known throughout the world for supporting aviation safety and promoting personal enjoyment and responsibility within the aviation community.

Our comments to the proposed regulatory changes focus primarily on the ramifications for small private use aircraft. EAA's objective in filing these comments is similar to the FAA's purpose in proposing new rules; the advancement of flight safety. Accordingly, EAA evaluated the proposed regulatory changes to determine to what degree newly introduced financial burdens on repair stations and operators would generate unintended safety-reducing consequences.

In reviewing the referenced Repair Station Notice of Proposed Rulemaking (NPRM), EAA is most concerned with the impact this proposal would have on small general aviation repair stations, particularly those that conduct line maintenance on a virtually unlimited number of aircraft makes and models. These repair stations do not specialize in a particular type of product or component; rather, they provide critical inspection, maintenance and repair to entire general aviation aircraft largely in an on-demand basis. These businesses are typically small, employing fewer than ten employees with the majority being extremely small entities with only two to five personnel.

EAA has identified two major areas of concern that we believe the FAA needs to address prior to finalizing this proposed set of regulations. The two areas are: The administrative and economic burdens the new quality assurance requirements will impose on small repair stations; and, the repair station ratings system and capabilities list. Our concerns are detailed as follows:

Quality Assurance Requirements

In general, our impression of the proposal is that the administrative procedures and quality assurance processes outlined in the NPRM may be well suited for large repair stations with significant workforces and/or specializing in a limited number of products, components, or aircraft. However, we do not feel that these requirements are either practical or cost effective for small general aviation repair stations; particularly those that conduct line maintenance and inspection on the myriad of general aviation aircraft types that are currently in service.

As the number of small repair stations is reduced, availability of qualified and experienced maintenance expertise is diminished forcing owners to use potentially less qualified individuals or at least persons with less specialized experience on their aircraft type. In addition, these economic burdens resulting in the surrender of repair station certificates will tend to send the maintenance to holders of individual mechanic certificates and inspection authorizations. While these individuals may well be imminently qualified, the benefits of organization, recordkeeping, and oversight associated with a repair station certificate will be lost.

EAA does not believe that the expanded quality system proposed in the NPRM, which includes self-evaluation and internal oversight mechanisms, is at all practical for small shops with a small number of employees. In most general aviation repair stations these employees would be serving all of the functions associated with quality, including their own evaluation and oversight. At this point, the activity simply becomes an expensive, burdensome, and meaningless paperwork exercise to fulfill a regulatory requirement and produces no additional safety benefit. This is particularly true when the repair station has fewer than five personnel.

At a minimum, the proposed quality system will require small repair stations to increase their hourly billing rates to pass the additional cost in personnel time spent fulfilling these requirements on to the consumer. More likely, though, many of the smallest facilities will surrender their repair station certificates and close their doors for good or continue maintaining aircraft as always under an individual airman certificate. A recent Department of Transportation Inspector General report found that compliance costs and complexity associated with repair station regulations and policy is driving maintenance

away from repair stations and into the hands of individual certificate holders. The DOT IG cites this as having a net negative impact on aviation safety. While EAA maintains that it is vitally important for individual airmen to continue to be able to maintain and inspect general aviation aircraft, a long-term flight from repair stations is not in the best interest of aviation safety.

Rating System and Capabilities List

EAA's second area of concern centers on the repair station ratings system and capabilities list. EAA supports the FAA's proposed changes to the rating system for aircraft and engines in that it makes more sense to include all aircraft in one rating and all engines into piston, turbine, or APU ratings. EAA concurs with the FAA that the previously proposed horsepower segregation for engines and construction materials breakdown for aircraft made little or no sense. Clearly, with such broad ratings that potentially could include any aircraft, a system needed to be developed that would limit a repair station to working those aircraft for which it is adequately trained and equipped. The FAA's proposed capability list is good in concept, particularly for those repair stations that inspect, rebuild, and overhaul specific products or components as their core business. It may also be appropriate for large repair stations that conduct airframe heavy or line maintenance on air carrier aircraft where the universe of aircraft makes and models is relatively small. However, we are concerned that the capability list will not work for small general aviation repair stations who are charged with inspecting and maintaining potentially hundreds of aircraft makes and models from amateur built aircraft, to vintage civil and former military aircraft, to mass produced aircraft and the myriad types manufactured in small numbers over a span or many decades.

Under the proposal, the FAA would require a repair station to maintain a capability list for each make, series, and model of aircraft the repair station would be permitted to work on. Each item on this list would have to be specifically approved by the FAA. Using common general aviation aircraft as an example, a repair station that has Cessna 172s with early model designations such as A through M would be able to self-audit and add a later model Cessna 172 to their capability list without having to seek FAA approval. However, if a Cessna 150 were to show up needing maintenance and the repair station only had Cessna 152s on its capability list, the repair station could not perform any maintenance on the aircraft without first seeking FAA approval for the addition of this make and model to the list. This situation seems absurd and completely impractical, particularly if the aircraft in question were a transient aircraft and the owner/operator is stranded away from their home airport. Under this scenario, EAA is reasonably assured that the work would still get done, just under the authority of an individual airman certificate rather than the repair station, assuming that a certificated individual is available and willing to do so.

Docket Management Facility

U.S. Department of Transportation

Page 4

April 16, 2007

The aforementioned scenario is a simple one and perhaps one that could be anticipated when creating a capability list for a repair station. However, the array of general aviation aircraft is so vast that no repair station could ever anticipate all of the makes and models of aircraft that might seek their services. Indeed, the proposal builds in a significant economic and bureaucratic disincentive for repair stations to seek approval for anything other than the most common types of aircraft, leaving the older and less numerous aircraft without the services of repair stations. EAA does not believe that this serves aviation safety or the needs of the general aviation aircraft owner and consumer.

While EAA does not have a specific proposal to remedy this potential conflict between the proposed regulations and the practical realities of maintaining the general aviation fleet, we are open to dialogue with the FAA to seek a workable solution. One idea might be to exempt from the capabilities list aircraft below a certain weight, such as 12,500 pounds or some other appropriate cutoff. Similarly, we are open to discussion on how best to handle the quality system matter for small repair stations; perhaps exempting or lessening the requirements for repair stations with less than a given number of personnel. Again, we do not have a specific proscribed outcome in mind, but do feel strongly that the matters of the capabilities list and quality system and their impact and practicality on small general aviation repair stations needs to be addressed before the implementation of any final rule.

Additional Clarifications

As a final note, EAA is seeking clarification related to how general aviation repair stations that conduct line maintenance on aircraft would qualify to conduct the limited avionics work associated with the altimeter and transponder correspondence and accuracy checks required under Part 91. Today, many aircraft repair stations perform this specific function as part of their portfolio of services, often conducted on the aircraft during the course of an annual inspection. Under the proposed repair station rating system it is unclear how an aircraft repair station would qualify for this privilege. Given that most small general aviation repair stations would hold an aircraft rating and this is not a function covered under that rating, would the repair station have to hold a full avionics rating as well to conduct these tests? Since the NPRM eliminates the limited ratings previously available we are unclear as to how this situation would be handled. The continued availability of required transponder and altimeter testing and inspection is critical to regulatory compliance and aviation safety and the certification process should not be overly burdensome in order for an aircraft repair station to qualify to perform this work.

Conclusion

EAA appreciates the opportunity to provide comment on this proposal and stands ready to work collaboratively with the FAA to address these critical issues potentially impacting the availability of maintenance services and the resulting safety implications for the general aviation fleet.

Respectfully,
EXPERIMENTAL AIRCRAFT ASSOCIATION

A handwritten signature in cursive script that reads "Earl Lawrence".

Earl Lawrence
Vice President
Industry and Regulatory Affairs