



The View from Washington

BY RIC PERI
VICE PRESIDENT, AEA GOVERNMENT & INDUSTRY AFFAIRS

Continuing Education: Up Close and Personal

After 18 months of addressing the repair station training program, I'm sure no one is interested in yet another "View" discussing training. But this one will be different — it isn't about the training "program" as defined in 14 CFR Part 145, but rather training as continuing education, as defined in being a professional.

If you have sat through any of AEA's seminars on the FAA's mandated repair station training program, you will remember there would be little change in the level of actual training. However, the real change to repair stations is their training and education now must be:

- Needs based.
- Standardized for all employees in a given job function.
- Consistent from year to year.
- Auditable by the FAA.

Unlike many of the other "alphabet groups" in Washington, D.C., I am not in favor of a mandatory training program as defined in 14 CFR Part 145. Why? Because we, as an industry, spend as much time pursuing continuing education as any industry. However, until the change in the repair station regulation, we were not burdened by the administrative bureaucracy of the FAA and the administrative costs associated with its recordkeeping mandate.

Our need for continuing education was driven by the need to stay competitive in a very competitive marketplace.

It is somewhat humorous that most of the discussions I have with aviation professionals who support an FAA-mandated training program occur at aviation trade shows where these pro-

professionals are fostering their continuing education at their employer's expense. The only thing they are promoting in their quest for FAA-mandated training for technicians is a government-mandated administrative burden, which will dilute a company's training budget, thereby detracting from the ability of technicians to receive advanced training rather than increasing the available

"If someone is going down the wrong road, he doesn't need motivation to speed him up. What he needs is education to turn him around."

— Jim Rohn

training for technicians.

It is an interesting balance for me, however. While I am a strong opponent of a mandated-training program, I am an even stronger advocate for continuing education for maintenance technicians.

I field this question regularly: "How do you keep up with all of these regulations?"

Well, allow me to get "up close and personal" as I review some of the ways I continue my education.

One way to view my work is as a cycle of learning, communicating and teaching. As a part of your "quality team," I study the rules, then communicate what I've learned so you can focus your efforts on maintaining aircraft.

Like most of you, I attend seminars, use self-study, attend classes, and participate in on-the-job training. For the purpose of this article, I use education and training synonymously.

Self-Study

Let's start with the most common form of training: self-study.

In my job, I need to stay current with regulations. To do so, I rely mostly on self-study, augmented by some seminars and an occasional classroom. I'll highlight just some of that training.

To stay current with regulations, I start each day with a review of the

United States government's *Federal Register*. The *Federal Register* is the U.S. government's daily journal (which is similar to the *Gazette* in Canada) listing every regulatory proposal and final rule from each of the departments and agencies of the federal government. If the FAA changes a rule, it's published in the *Federal Register*.

With the expanded use of the Internet, the *Federal Register* is no longer delivered daily in paper copy, which was the norm only a few years ago, but rather is delivered electronically.

In addition to the daily *Federal Register* reviews, the Internet allows me to perform a daily search for new policies, advisory materials or rules published by the FAA in the United States, CASA in Australia, EASA in Europe, TCCA in Canada, and the CAA in New Zealand.

This daily review is completed with the support of my AEA government

affairs team: Jason Dickstein in the United States; John Carr and Barry Aylward in Canada; Franz Redak and Jim Herbert in Europe; Michael Kus in Australia; and you, the membership.

Along with daily reviews of published information, regular communications with each team member and the general membership really helps me to learn what is happening in the various regions AEA touches. These communications are critical in keeping current with the state of regulatory implementation throughout the various regions.

I continue my self-study with various trade journals. A number of daily journals are received via e-mail. These are in addition to monthly paper journals and magazines I read, such as *Avionics News*.

Avionics News and the *Aircraft Maintenance Technology* magazine are approved by the FAA for both inspection authorization (IA) renewal and its AMT awards.

To supplement my training, I also rely on Dickstein's column, "News From the Hill," every month in *Avionics News*, as well as his regulatory sessions during the AEA regional meetings and at its annual convention.

I may continue my research into any legal interpretations about a subject to see if I understand the way the rule has been interpreted by legal authorities, or I may continue my research at the Library of Congress, digging through regulations and interpretations of previous regulations so I can better understand the rule and the intent of the rule.

Seminars & Classes

Aviation seminars are a regular part of my training. I attend training seminars on equipment, technology and/or aviation law at AEA's regional meetings and conventions. In addition, I attend various regulatory classes hosted by other aviation trade associations.

For topics that aren't part of the regulatory structure, such as curricu-

lum development and performing needs assessments (as required by the RSTP), I continue my academic studies in adult education and international studies with Embry-Riddle Aeronautical University. I also advance my avionics studies through the University of Kansas continuing education program.

On-the-Job Continuing Education

Keeping current in training and education is a vital part of being competitive. Recently, I had the opportunity to perform a two-week internship with Frederick Aviation in Maryland, an AEA member company.

Going back to basics and working in the shop and on the hangar floor also is a form of continuing education for a "desk-jockey." I forgot how sweet jet fuel smells first thing in the morning.

I hope this month's "View" gives you some insight into possible sources you can use in your workplace to implement the required recurrent training mandated in the repair station training program.

Regulatory Update

United States

Thermal/Acoustic Insulation Installed on Transport Category Airplanes

AGENCIES: FAA and DOT.

ACTION: Disposition of comments on final rule.

SUMMARY: On Dec. 30, 2005, the FAA published a final rule addressing thermal/acoustic insulation flammability with a request for comments.

In the Sept. 5, 2006 *Federal Register*, the FAA responded to the comments received on its request for comments. The public can review the public docket (Docket No. 2005-23462) on the Department of Transportation's Docket Management Facility website at [http://](http://dms.dot.gov)

dms.dot.gov.

On Sept. 20, 2000, the FAA published Notice No. 00-09, which proposed to upgrade the flammability and fire protection standards for thermal/acoustic insulation installed in transport category airplanes (65 FR 56992). The notice contained a provision that would require thermal/acoustic insulation to comply with the proposed new standards when used as replacements on airplanes already in service, as well as requirements about newly manufactured airplanes.

The requirement was adopted in the final rule, published July 31, 2003, in Sections 91.613(b)(1), 121.312(e)(1), 125.113(c)(1) and 135.170(c)(1) (68 FR 45046). These rules required operators to use replacement insulation materials meeting the requirements of Sec. 25.856 after Sept. 2, 2005.

The Aircraft Electronics Association and other aviation trade groups petitioned the FAA to revise the final rule. In response to this petition, the FAA published Amendments No. 91-290, No. 121-320, No. 125-50 and No. 135-103 on Dec. 30, 2005, to refocus the requirements for replacement materials (70 FR 77748). Because of these amendments, only certain types of thermal/acoustic insulation are required to comply with the upgraded standards when replaced.

After consideration of the comments submitted in response to the final rule request for comments, the FAA has determined no further rulemaking action is necessary and Amendments No. 91-290, No. 121-320, No. 125-50 and No. 135-103 remain in effect as adopted.

Guidance for Part 135 Special Flight Permit Program

Flight Standards Handbook Bulletin for Airworthiness (HBAW) 06-03, published Aug. 18, 2006, provides guidance to aviation safety inspectors for the review and approval of operators' programs for the use of an organiza-

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Life in the Real World

BY BOB PASCH AND DAVE SHELTON OF FREDERICK AVIATION

During an AEA seminar, "Repair Station Training Program Management," in April at the annual AEA International Convention & Trade Show in Palm Springs, Calif., an audience member told Ric Peri he had "no idea what it's like in the real world." Well, now we can tell the rest of the story.

Having known Peri professionally for several years, our boss, Bill Greenwell, approached him during a break and gave Peri an open invitation to spend some time on the front lines at Frederick Aviation to rediscover what we, as technicians, managers and FBOs, face in today's "real world" of general aviation.

We must admit, when we heard Peri had accepted our invitation for a two-week internship, we were licking our chops. Here he is, Ric Peri, in our world, dealing with our daily activities, listening to our customers and our technicians, interacting with our FAA. Hats off to that man at the seminar — Peri's in for an awakening and we're going to give it to him.

Well, the awakening was mutual. When Peri arrived for duty (yes, we really made him work), he was given his "uniforms" and assigned to work with one of our avionics technicians. He was introduced to the post-installation of a weather system, learned some of the software deficiencies of a glass panel and observed a rather brisk discussion with three of our FSDO inspectors about an Air-Gizmo installation.

Later, Peri assisted in performing an annual inspection on a Socata TB-20. He jacked the aircraft, opened panels, performed service items and cleared discrepancies as he was directed. He also did various maintenance tasks on other aircraft under our supervision.

But Peri is an electronics guy, you say. Please allow us to educate you. Richard A. "Ric" Peri is a graduate of Embry-Riddle University with a bachelor's degree in professional aeronautics. He is a U.S. Air Force Vietnam-era veteran, as well as U.S. Coast Guard veteran serving both in an aviation capacity. He holds an FAA certificate with private pilot and airframe and powerplant ratings. He was an adjunct faculty member of the University of Southern California and Embry-Riddle Aeronautical University, as well as a published author and public speaker extraordinaire.

Now, in addition to his daily work-related activities, we also asked Peri to evaluate our day-to-day procedures, repair station operations, management techniques and general business practices. Why not take advantage of the talent at hand? After all, many businesses are designed for and charged exorbitant fees for exactly that task. And evaluate he did.

Peri noticed our repair station certificate was technically flawed in that we, per the certificate, were not authorized to perform specific tasks we had been doing for years and were, in fact, qualified and certified to do. Right away, we thought the worst — we'd have to self-disclose and explain the deficiency to our Feds. We'd be reprimanded and possibly fined, and my bosses would not be happy. After contacting our PMI and explaining the problem, the corrective action was taken immediately with no adverse effects.

Peri spent a great deal of time perusing our CRS manual and questioned several of the methods and techniques we had employed. He reviewed our training manual and the critique by the FSDO (after



Bob Pasch, director of maintenance for Frederick Aviation in Maryland (left), presents Ric Peri, vice president of government & industry affairs for AEA, with a plaque that reads, "To Ric Peri, in appreciation of his participation in 'Life in the Real World' as seen through the eyes of the maintenance, avionics and parts personnel at Frederick Aviation," which was given in recognition of Peri's "internship" with the AEA member company.

all, that's what started this internship), and he was instrumental in our responses and resubmission. Most importantly, he was forthright with his critique of other managers and our business procedures, for which we are grateful.

Peri's "internship" was a positive experience for everyone. From an employer's perspective, his work habits were exemplary. He was always early for work and had a positive attitude. He was eager to be involved and was enthusiastic in performing assigned tasks with an air of confidence.

On his last day here, he was presented with a plaque that read, "To Ric Peri, in appreciation of his participation in 'Life in the Real World' as seen through the eyes of the maintenance, avionics and parts personnel at Frederick Aviation."

So, be prepared — the next time Peri presents a program and someone says, "You have no idea what it's like in the real world," he can honestly say "Oh, yes, I do."

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tional designated airworthiness representative to issue special flight permits (SFP).

Flight Standards has had numerous concerns from Part 135 operators, particularly Part 135 cargo operators,

regarding the availability of the FAA to issue SFPs during the hours of flight operations in their industry. The inability to contact an FAA inspector or designee after normal business hours and have that person authorize a SFP places a significant burden on the operator.

In light of these concerns, Flight Standards has made several changes in the SFP arena to ensure these operators can operate effectively while continuing to provide airworthy, safe aircraft.

Organization Designation Authorization Procedures

On Aug. 18, 2006, the FAA issued order 8100.15, which establishes the procedures, guidance and limitations of authority the FAA is granting to an organization under the Organization Designation Authorization (ODA) program. This order outlines the FAA ODA program. Under this program, the FAA can delegate certain types of authority to organizations.

Under Title 49 Section 44702(d), the FAA administrator may delegate to a qualified private person a matter related to issuing certificates, or related to the examination, testing and inspection necessary to issue a certificate the FAA administrator is authorized by statute to issue under AC 44702(a).

The ODA program in 14 CFR Part 183, Subpart D addresses all FAA delegations to organizations. This program will replace the DOA, DAS, ODAR and SFAR 36 delegation programs. This order describes the application for and administration of ODAs.

Hazardous Materials Training Compliance Date

On Sept. 18, 2005, the FAA amended its hazardous materials (hazmat) training requirements for certain air carriers and commercial operators. In addition, the FAA is requiring certain repair stations provide documentation showing that persons handling hazmat for transportation have been trained, as required by the Department of Transportation's hazardous materials regulations.

The 2005 rule contained a compliance date of Feb. 7, 2007.

The FAA is updating its regulations because hazmat transportation and the aviation industry have changed significantly since the FAA promulgated its hazmat regulations more than 25 years ago. The rule will set clear hazmat training standards and ensure uniform compliance with hazmat training requirements.

The repair station hazmat regulations include:

- AC 145.53 issue of certificate.

(c) Before a repair station certificate can be issued for a repair station that is located within the United States, the applicant shall certify in writing that all "hazmat employees" (see 49 CFR 171.8) for the repair station, its contractors or subcontractors are trained as required in 49 CFR Part 172, Subpart H.

(d) Before a repair station certificate can be issued for a repair station that is located outside the United States, the applicant shall certify in writing that all employees for the repair station, its contractors or subcontractors performing a job function concerning the transport of dangerous goods (hazardous material) are trained as outlined in the most current edition of the "International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air."

- AC 145.165 hazardous materials training.

(a) Each repair station that meets the definition of a hazmat employer under 49 CFR 171.8 must have a hazardous materials training program that meets the training requirements of 49 CFR Part 172, Subpart H.

(b) A repair station employee may not perform or directly supervise a job function listed in AC 121.1001 or AC 135.501 for, or on behalf of, the Part 121 or Part 135 operator, including loading of items for transport on an aircraft operated by a Part 121 or Part 135 certificate holder unless that person has received training in accordance with the Part 121 or Part 135 operator's FAA-approved hazardous materials training program.

- AC 145.206 notification of hazardous materials authorizations.

(a) Each repair station must acknowledge receipt of the Part 121 or Part 135 operator notification required under

AC 121.905(e) and AC 135.505(e) of this chapter prior to performing work for, or on behalf of, that certificate holder.

(b) Prior to performing work for, or on behalf of, a Part 121 or Part 135 operator, each repair station must notify its employees, contractors or subcontractors who handle or replace aircraft components or other items regulated by 49 CFR Parts 171-180 of each certificate holder's operations specifications authorization permitting, or prohibition against, carrying hazardous materials. This notification must be provided subsequent to the notification by the Part 121 or Part 135 operator of such operations specifications authorization/designation.

AEA provides hazardous material training through a partnership with Washington Aviation Group. For more information, contact the AEA at 816-373-6565 or visit www.aea.net.

Canada

Transport Canada

TCCA issued its proposed traffic alert and collision avoidance system (TCAS) regulations in *Canada Gazette* 1, Sept. 9, 2006, for a 30-day public comment period. These proposed regulations have been through the Canadian Aviation Regulation Advisory Council (CARAC) process and, provided no further comments were received, likely would come into force in late 2006.

The proposed regulations are:

- CAR 702.46 (Aerial work airplanes): Turbine-powered land airplanes greater than 15,000 kg/33,069 lbs. maximum take-off weight (MTOW) operating outside reduced vertical separation minimum (RVSM) airspace must be fitted with TCAS II (TSO-C119a or C119b) and a Mode-S transponder. Turbine-powered land airplanes greater than 15,000 kg/33,069 lbs MTOW operating within RVSM

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Frequently Asked Questions

TOPIC:

Acceptable Parts

The following information is from the Federal Aviation Administration.

QUESTION:

“We are having a debate around the shop about the installation of non-FAA approved parts. My inspector says every part installed in a type-certificated aircraft must be an approved part; other inspectors have said there are exceptions.

“What do the regulations require? Must every part installed in a certificated aircraft be an approved part?”

ANSWER:

No. Not all parts installed in a certificated aircraft must be FAA approved.

First, it's important to make sure everyone is speaking the same language. There are FAA-approved parts and there are FAA-accepted parts — two different categories of parts approval. Both categories of parts may be eligible for installation in a type-certificated aircraft.

The performance rules applicable to alteration of an aircraft are contained in 14 CFR Part 43.13, Section 43.13(b), which states, “Each person maintaining or altering, or performing preventive maintenance, shall do that work in such a manner and use materials of such a quality that the condition of the aircraft, airframe, aircraft engine, propeller or appliance worked on will be at least equal to its original or properly altered condition (with regard to aerodynamic function, structural strength, resistance to vibration and deterioration, and other qualities affecting airworthiness).”

This is the only regulation that addresses the “materials” used as part of an alteration. There are other parts regulations applicable to the parts manufacturer and parts distributors, but Section 43.13 is the only regulation applicable to the installer addressing the materials used in an alteration.

FAR 43.13(b) essentially states that any material used in an alteration should conform to the “type-certification basis” of the aircraft being altered.

Therefore, for an old Cessna that may be CAR 3; for a modern Piper that may be FAR 23; and for the latest generation biz-jet that's Part 25.

FAA Advisory Circular 20-62D, “Eligibility, Quality and Identification of Aeronautical Replacement Parts,” also addresses the issue of approved and acceptable parts used in alterations.

In the AC, FAA-approved parts are defined under 14 CFR Part 21, Section 21.305. Parts produced under an FAA-approved production system and conforming with FAA-approved data may be approved under the following conditions:

- A parts manufacturer approval (PMA) issued under Section 21.303.
- A technical standard order authorization (TSOA) issued by the Administrator.
- In conjunction with type-certification procedures for a product.
- In any manner approved by the Administrator, such as Part 21, Subpart F, “Parts Produced Under a Type Certificate,” and Subpart G, “Production Certificate.”

In addition, Subpart N provides for the acceptance of a new part produced in a country with which the United States has an agreement for the acceptance of parts for export and import. The part is approved when the country of manufacture issues a certificate of airworthiness for export for the part.

The AC further defines acceptable parts. The following parts may be

found acceptable for installation on a type-certificated product:

- Standard parts (such as nuts and bolts) conforming to an established industry or U.S. specification.
- Parts produced by an owner or operator for maintaining or altering their own product and which are shown to conform to FAA-approved data.
- Parts for which inspections and tests have been accomplished by appropriately certificated persons authorized to determine conformity to FAA-approved design data.

The AC further states, “As part of determining whether installation of a part conforms with all applicable regulations, the installer should establish that the part was manufactured under a production approval pursuant to Part 21, that an originally acceptable part has been maintained in accordance with Part 43, or that the part is otherwise acceptable for installation.”

In general, an installer will normally stick with FAA-approved parts and standard parts. Occasionally, an installer may be installing an “owner-produced part.” However, the regulation also allows the installer to determine a non-FAA-approved part is of “such quality that the product or appliance worked on will be at least equal to its original or properly altered condition.”

Often, it is difficult to validate a part — it requires a good working knowledge of the certification regulations by the installer, and often is cost-prohibitive but technically feasible.

(Note: The AEA offers “Frequently Asked Questions” to foster greater understanding of the Federal Aviation Administration regulations and the rules governing our industry. The AEA strives to ensure FAQs are as accurate as possible at the time of publication; however, rules change. Therefore, information received from an AEA FAQ should be verified before being relied on. This information is not meant to serve as legal advice. If you have particular legal questions, they should be directed to an attorney. THE AEA DISCLAIMS ANY WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED.)

REGULATORY UPDATE

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airspace must be fitted with TCAS II (TSO-C119b) and a Mode-S transponder.

- CAR 703.70 (Air taxi): All airplanes greater than 5,700 kg/12,566 lbs MTOW operating outside RVSM airspace must be fitted with, at least, TCAS I (TSO-C118). All airplanes greater than 5,700 kg/12,566 lbs MTOW operating within RVSM airspace must be fitted with TCAS II (TSO-C119b) and a Mode-S transponder.

- CAR 704.71 (Commuter): Turbine-powered airplanes greater than 5,700 kg/12,566 lbs MTOW and less than 15,000 kg/33,069 lbs MTOW operating outside RVSM airspace must be fitted with, at least, TCAS I (TSO-C118). All non-turbine powered airplanes greater than 5,700 kg/12,566 lbs MTOW operating outside RVSM airspace must be fitted with, at least, TCAS I (TSO-C118). Turbine-powered airplanes greater than 15,000 kg/33,069 lbs MTOW operating outside RVSM airspace must be fitted with TCAS II (TSO-C119a or C119b) and a Mode-S transponder. All airplanes operating within RVSM airspace must be fitted with TCAS II (TSO-C119b) and a Mode-S transponder.

- CAR 705.83 (Airline): All turbine-powered airplanes operating outside RVSM airspace must be fitted with TCAS II (TSO-C119a or C119b) and a Mode-S transponder. All non-turbine airplanes operating outside RVSM airspace must be fitted with, at least, TCAS I (TSO-C118). All airplanes operating within RVSM airspace must be fitted with TCAS II (TSO-C119b) and a Mode-S transponder.

Mode-S transponder equipment must meet FAA TSO-C112. These regulations will be applicable to all newly manufactured airplanes as of the “in-force” date. Operators with airplanes manufactured on or before the

“in-force” date will have two years to comply with the regulations.

Transport Canada Policy Positions

At the AEA Canada Regional Meeting from Sept. 8-9, in Toronto, TCCA provided information on the following policy items:

- Re-certification of Parts. TCCA confirmed the recently issued manufacturing policy letter, MPL 36 Rev. 1, should be used as the interpretation of CAR STD 573.02 (11) and 571 App. H. The MPL contains proposed amendments to these STDs, which will be processed through the CARAC NPA system.

TCCA advised approved maintenance organizations (AMOs) with “component” ratings may be able to re-certify parts based on ICA data and their rating, and other AMOs should use ICA data, design data and any special processes. The AMO’s MPM must be amended to identify the process outlined in Standard 571, Appendix H, taking into consideration the criticality and origin of the part and the ability to correctly identify the part through any markings.

MPL36 Rev. 1 can be viewed at www.tc.gc.ca/CivilAviation/maintenance/AARPC/mpl/Mpl36.htm.

- QA Independence. TCCA recognizes the recent amendment to CAR 573.09, which introduced the requirement for a more formal and independent QA process in all AMOs, is too burdensome and not practical for small AMOs. TCCA intends to issue a MPL in the short-term to allow one-person AMOs not to need an independent QA system, and for small AMOs (less than 10 people) to be allowed peer-to-peer QA procedures. TCCA also will take NPA action to amend CAR 573.09.

Europe

EASA

EASA currently is reviewing Part 21 Subpart J. The task of a recently issued terms of reference (TOR) is to revise Part 21 and/or the general guidelines (AMC/GM) to predetermine the involvement of the agency in the verification of compliance documents provided by the Design Organization. This should provide more legal certainty to the applicant and consistency regarding the level of involvement of the agency.

The plan is to issue a NPA containing the proposed changes within nine months.

The comment response document to NPA 09-2005 in regards to the definition of the “principal place of business” referenced in Part 145 was issued and an agency opinion should be issued within the next two months.

Decision 2006/04/R issued on July 11 amends CS-ETSO with a few new European technical standards and the revised ETSO 2C112b for Mode-S transponders implementing ED-73B standards.

RTCA

RTCA recently approved a new committee to develop a document to establish performance standards for a terrain awareness and warning system (TAWS) for helicopter operations. □

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