

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 121, 125, 127, 135, and 145****[Docket No. 28293; Notice No. 95-12]****RIN: 2120-AF71****Operational and Structural Difficulty Reports****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration (FAA) proposes to revise the reporting requirements for air carrier certificate holders and certificated domestic and foreign repair stations concerning failures, malfunctions, and defects of aircraft, aircraft engines, systems, and components. The proposed rule would clarify and standardize the type of information submitted to the FAA allowing the FAA to identify trends that may affect aviation safety. This action was prompted by an internal FAA review of the effectiveness of the reporting system and by air carrier industry concern over the quality of the data being reported by air carriers. The objective of the proposed rule is to update and improve the reporting system to effectively collect and disseminate clear and concise information, particularly with regard to aging aircraft, to the aviation industry.

DATES: Comments must be submitted on or before November 13, 1995.

ADDRESSES: Comments on this notice should be delivered, in triplicate, to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-200), Docket No. 28293, 800 Independence Avenue SW., Washington, DC 20591. Comments delivered must be marked Docket No. 28293. Comments may also be submitted electronically to the following Internet address: nprmcmts@mail.hq.faa.gov. Comments may be examined in Room 915G weekdays between 8:30 a.m. and 5 p.m., except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Benjamin J. Burton, Aircraft Maintenance Division, AFS-330, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-3797.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that might result from adopting the proposals in this notice are also invited. Substantive comments should be accompanied by cost estimates. Comments should identify the regulatory docket or notice number and should be submitted in triplicate to the Rules Docket address specified above. All comments received on or before the closing date for comments specified will be considered by the Administrator before taking action on this proposed rulemaking. The proposals contained in this notice may be changed in light of comments received. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a preaddressed, stamped postcard on which the following statement is made: "Comments to Docket No. 28293." The postcard will be date stamped and mailed to the commenter.

Availability of the NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-220, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3484.

Persons interested in being placed on the mailing list for future NPRMs should request from the above office a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

Sections 121.703, 127.313, and 135.515 require that holders of certificates issued under part 121, 127, or 135 submit reports on certain specified failures, malfunctions, or defects of specific systems and on all other failures, malfunctions, or defects that, in the opinion of the certificate holder, have endangered or may endanger the safe operation of an

aircraft. Section 125.409 requires that part 125 certificate holders report each failure, malfunction, or defect. In addition, §§ 145.63 and 245.79 contain provisions for certificated domestic and foreign repair stations, respectively, to report defects or recurring unairworthy conditions of any aircraft, powerplant, propeller, or any component thereof to the FAA. Both certificate holders and certificated repair stations must submit the reports described above to the FAA. In accordance with the Flight Standards' Service Difficulty Program, set forth in FAA Order No. 8010.2, the information is reviewed and evaluated by the Principal Maintenance Inspector (PMI) and mailed to the FAA's Mike Monroney Aeronautical Center in Oklahoma City, OK, for input into the Service Difficulty Reporting Subsystem (SDRS). The report data is entered into the SDRS and compiled to generate a weekly summary that is distributed to aircraft manufacturers, air carriers, repair stations, members of the general aviation community, and various offices of the FAA. Additional review and evaluation of the data are accomplished by the Aeronautical Center to identify trends or significant reports. The appropriate FAA office is notified if trends or significant safety items are noted.

Sections 121.705, 127.315, and 135.417 contain provisions for submitting a summary report to the FAA on mechanical difficulties or malfunctions that interrupt a flight or cause unscheduled aircraft changes, stops, or diversions en route that are not required to be reported under § 121.703, 127.313, or 135.415, respectively. Section 121.705 also requires a summary report containing information on the number of aircraft engines removed prematurely because of a malfunction, failure, or defect and the number of propeller featherings that occur in flight for other than training purposes, demonstrations, or flight checks.

Section 127.315 requires further summary reports containing information on the number of engines removed, and § 135.417 requires further summary reports on the number of propeller featherings that occur.

The reporting requirements for § 21.3 have not been addressed in this notice. ARAC decided and FAA agreed that revisions to this section were not intended as part of the FAA's original task assignment to ARAC.

History

The explosive decompression and structural failure of a Boeing 737-200 series aircraft on April 28, 1988, focused