



# The Update Report

**The Aviation Suppliers Association**

**Volume 10, Issue 9**

**September 2002**

*YOUR ASSOCIATION IN ACTION*

## **We've Moved!**

**The Aviation Suppliers Association has moved!!**

We are now located at:

Aviation Suppliers Association, Inc.  
734 15th Street, NW  
Suite 620  
Washington, DC 20005

We also have new phone numbers:

Phone: (202) 347-6899  
Fax: (202) 347-6894

Please update your records to reflect our new information.

Accreditation information should be sent to this new address. Observant members will notice that AC 00-56A does not list an address for ASA—this is because we knew we would be moving soon after the release of the document. Our updated mailing address information is posted on our internet web site.

Our new location is one block Northeast of the White House (our old location was Northwest of the White House). If you find yourself in Washington, DC, please stop by and see our new offices.

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### **Congratulations to:**

**Wilson Systems Enterprises, Inc.**  
Lebanon, TN

*For their accreditation to the Aviation Suppliers Association's Accreditation Program, and*

**LKD Aerospace, Inc.**  
Issaquah, WA

*For their re-accreditation to the Aviation Suppliers Association's Accreditation Program*

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## A Message from ASA's President

ASA has been very fortunate to enjoy the leadership of John Butler as a member of the ASA Board of Directors.

John recently retired as president of Time Aviation Services, a unit of AMERON GLOBAL, Inc. He relinquished his seat on the Board of Directors in accordance with the Association Bylaws, which require all Directors to be employed by a member company.

John joined the Board in April 1995. During his seven year tenure, John was an important contributor to the development of the Association. John recruited members and promoted accreditation. From his first meeting, he always stressed the importance of the Association maintaining a financial reserve, which has ensured the continued survival of ASA. He helped the Association in lobbying activities, he actively promoted the Association in the industry, and he contributed to the Association's strategic direction.

Perhaps most importantly, John always was willing to discuss the Association's future and to spend time helping us brainstorm about ways to improve the services that we offer to the membership. Along with past Board Member, Fred Gaunt, John crafted ASA's mission statement.

John exemplified the attributes that makes an excellent Board Member. Even though his shoes will be hard to fill, our newest Board Member is up for the task. Jay Rosenberg has been elected to his first term on the Board of Directors. Jay has been active with the Association from its inception. He won the Edward J. Glueckler award in 2000. The Association is fortunate to continue to have on the Board of Directors Bill Cote and Mitch Weinberg. There continued support, advice and work has allowed ASA to continue to serve the members. We look forward to their guidance over the next two years.

Participation on the Board of Directors requires a financial commitment from the member company, and we appreciate their support in these financially uncertain times.

Since our last newsletter USAirways has filed Chapter 11 and there is talk that United Airlines will be filing Chapter 11 soon. The potential ripple effect of any air carrier filing bankruptcy is huge. Make sure that you are aware of your rights during a bankruptcy. If possible structure your purchasing and sales contracts to incorporate protection for you both financially and also contractually. Review your warranty sections and also return policies.

ASA has written several articles on bankruptcy and commercial law, you may want to review those article.

If you have not yet picked up on the fact that ASA has moved, please notice the change of address and phone number. My apologizes for any inconvenience the move may cause, take my word we did not want to move nor have to change our numbers.

Best wishes for a happy long weekend,

Michele Dickstein

<b>Board of Directors:</b>	
<b>Terry Bond</b>	305-925-2600 M & M Aerospace Hardware, Inc.
<b>Amy Cochis</b>	860-565-2712 Pratt & Whitney SMMO
<b>Bill Cote</b>	561-998-9330 Volvo Aero Services, LP
<b>Mike Molli</b>	847-836-3100 Scandinavian Airlines System
<b>Roy Resto</b>	414-875-1234 Tracer Corporation
<b>Jay Rosenberg</b>	954-791-8800 International Airline Support Group
<b>Mitch Weinberg</b>	305-685-5511 International Aircraft Associates, Inc.

### The Update Report

is a monthly newsletter of the Aviation Suppliers Association. Questions/comments should be addressed to:

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### The Update Report

provides timely information to help Association members and readers keep abreast of the changes within the aviation supply industry.

### The Update Report

is just one of the many benefits that the Aviation Suppliers Association offers members. For information on ASA-100, the ASA Accreditation Program, Conferences, Workshops, FAA guidance like Advisory Circulars, Industry Memos, or services and benefits, contact the Association.

### The Update Report

For information on special package rates for advertising, contact the Association at (202) 347-6899.

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<b>Officers:</b>	
<b>Karen Borgnes</b>	253-395-9535 Corporate Treasurer
<b>Jason Dickstein</b>	202-347-6899 Corporate Secretary
<b>Michele Dickstein</b>	202-347-6899 President

## 8130-3 Block Nine: Eligibility

Many ASA members have asked questions about the use of block nine on the 8130-3 tag. Does it need to be completed? Is there a difference in its use when a DAR completes the 8130-3 tag? How about when a repair station completes the tag? How many different eligibilities need to be listed when an article is eligible for installation in many different aircraft models?

Block nine is found in the middle of the 8130-3 tag. It is labeled "eligibility" and when the block is completed it represents at least one eligible aircraft on which the article may be installed.

Instructions for completing the 8130-3 tag are found in FAA Order 8130.21C. FAA orders are designed to provide instructions to the FAA employees. They represent work instructions for the FAA and are not meant to provide the industry with guidance (industry guidance is meant to be published in advisory circulars).

### Board Election Results

The Association is pleased to announce that the following three persons have been elected to two-year terms on the ASA Board of Directors:

**Bill Cote**  
Volvo Aero Services, LP

**Jay Rosenberg**  
International Airline Support Group

**Mitch Weinberg**  
International Aircraft Associates, Inc.

*Congratulations!*

ASA is a 501(c)(6) tax-exempt organization and ASA's Directors receive no compensation from ASA.

### *Recent History of Block Nine*

The "C" revision to Order 8130.21 was meant to represent a harmonized set of instructions for completing all approval documents that come from the JAA member countries of Europe, from Canada or from the United States. The harmonization project took many years of discussions among the FAA, Transport Canada, the JAA and the various European civil aviation authorities that are members of the JAA. One topic that received much attention was block nine, and whether the eligibility block still was a useful block in today's world.

Many companies on both sides of the Atlantic argued that block nine was no longer necessary. From an installer's point of view, the block was not useful because an installer generally identifies the need for a part based on the specific needs of a product. Therefore, the installer will use appropriate type-specific data (like an illustrated parts catalog) to identify the right part to install. No one ever picks up a part from stock and goes looking down all over the airfield for an aircraft into which to install the part, so the guidance of block nine was not useful.

The final layout of the 8130-3 was the subject of negotiation and compromise, and block nine is no exception. While many people from the government and industry alike preferred to drop block nine, one vocal group within the JAA explained that they could not live without block nine. They felt that the certification that an article meets its approved design configuration is meaningless without a reference to an eligible installation that serves as the basis for the approved design to which the article

*(Continued on page 105)*

## New AD Standards

FAA Airworthiness Directives (ADs) will soon take on a new look as a result of a new rule published on July 22. The rule directly incorporates several standard provisions that were previously included as part of most ADs directly into Part 39 of the Federal Aviation Regulations (FARs). In addition, Part 39 as a whole has been rewritten in a question-and-answer format as part of the federal government's "Plain Language Initiative" designed to make regulations easier to understand. The amendment became effective on August 21, 2002.

The FAA issues ADs when it becomes aware of an unsafe condition affecting a particular type of aircraft, aircraft engine, propeller, or appliance that is likely to exist or develop in other products of the same type design. ADs are published in the Federal Register as amendments to Part 39, but are not codified in the regular annual edition of the FARs. ADs impose a legal obligation on the aircraft owner to correct the unsafe condition. Distributors frequently track ADs that apply to parts or components in their inventories, so as to be able to provide their customers with the information they need to comply with regulatory and safety obligations.

In the preamble to the final rule, the FAA acknowledged a number of the comments ASA submitted in February 2001. As is often the case, the agency adopted some of ASA's comments and rejected others.

### *Questions, Questions*

In its comments, ASA offered two observations on the question-and-answer format. On one hand, ASA argued that this format tends to be limiting because the question being posed by the drafters may or may not

*(Continued on page 107)*

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## 8130-3 Block Nine: Eligibility

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conforms. The final decision of the authorities was that the block would remain, but that the authorities would issue appropriate caveats to limit the use of the block and to limit the unintended effects of the information in the block.

One important limitation is the proposition that block nine does not represent a limitation, and there may be other eligible installations that are not listed in block nine. This proposition arose in response to complaints that the identification of at least one product was misleading and was inhibiting commerce in some situation. This happened because some FAA officials have prevented installation of articles into products not listed in block nine – they have used block nine as a limiting constraint that suggests that an article is ineligible for installation on a product that is not listed in block nine. This belief was not what the FAA intended - block nine was never meant to be a limiting factor. To address this concern, the FAA included language in Order 8130.21C that specifies that the eligibility listed in block nine is not exclusive, so there may be other eligible installations that are not listed. The FAA also warned that aircraft listed in block nine may not represent eligible installation targets in the event that changes in configuration make the part inappropriate, so installers should not blindly follow the block nine guidance.

This is a tremendous coup for the aftermarket, who in some cases had been prevented by FAA employees from engaging in some transactions where the intended installation was on an aircraft that was not listed in block nine, even though installation of the part described by the 8130-3 tag would have been proper on the

unlisted aircraft.

The effect of Order 8130.21C on designees is very different from the effect on industry maintenance facilities that use an 8130-3 as an approval for return to service document. We will treat these two uses of the 8130-3 separately for purposes of analyzing when to use block nine and what to write in block nine.

### *8130-3s as Airworthiness Approvals*

FAA Order 8130.21C states that block nine is intended for use by “PAHs, PAH-approved suppliers, or PAH associate facilities.” In fact, what this should have said is that the block is meant for use by FAA employees and designees who are issuing the form for parts held by persons in these categories (most people understand that this is what is meant by that language). The reason for this is because PAHs do not issue 8130-3 tags in the United States – their FAA designees perform this task (in some other countries, the aviation authority delegates the authority to issue airworthiness approval tags directly to the production approval holder, but not in the United States). Because they are issued by designees, all airworthiness approvals issued at PAH facilities carry the effect of an approval issued by the FAA itself. This is necessary to meet the technical requirements of the agreements between the United States and some of the nations to which parts are exported from the United States.

Order 8130.21C applies to FAA employees, and also to FAA designees, like DARs. FAA employees and FAA designees are generally required to follow FAA orders, unless they conflict with FAA regulations or the U.S. Code.

The Order may be considered mandatory for DARs and other designees, and therefore anyone who uses the services of a designee for issuance of an 8130-3 will be indirectly constrained by the Order, since the designee is not permitted to act in conflict with the legitimate job instructions published by the FAA.

The Order states that a person completing the 8130-3 tag at a production approval holder’s facility (or associated facility) – namely, the designee – must identify at least one product on which the article is eligible for installation. This serves as a baseline for assuring that there is at least one approved design to which the article conforms. There is no presumption against other installations, and the article may still be installed on any aircraft on which installation would be considered appropriate. The rules that constrain inappropriate installation are found at 14 CFR 43.13(b), which requires the work performed to be at least equal to the FAA approved configuration.

### *Airworthiness Approval Exceptions*

There are several situations where designees are not expected to complete block nine for an 8130-3. When the tag is completed for an article manufactured under a TSOA, block nine should read “TSO Article N/A.” This is because a TSOA article carries no intrinsic eligibility for installation on any particular type certificated product – eligibility is established separately through a FAA design approval, like a STC or field approval.

Also, when the 8130-3 is used to record a conformity inspection during a type certification program, block nine should state “N/A.”

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## Parts-Marking Research Enters New Phase

## 8130-3 Block Nine

The Coast Guard and its strategic partners announced that they are taking the next step in their use of innovative parts-marking technologies to better manage aircraft parts.

The Coast Guard has authorized phase II of the Aircraft Flight Critical Part Direct Parts Marking Verification Program [AFCPDPMVP]. The program is the final segment in a series of incremental government aviation related test programs designed to expand the use of Data Matrix symbology in the government and commercial aerospace markets.

Data Matrix symbology is implemented through a two-dimensional matrix of data that looks like a small box-version of a Rorschach test. Many people have described this as being like a two dimensional version of a barcode; it permits much more information to be stored in a much smaller space. Overnight carriers routinely use these sort of two dimensional symbologies to encode information on their packages to assist in tracking.

Robotic Vision Systems, Inc. (RVSI) and Dataline, Inc. are two of the companies working this project. Headquartered in Canton, Massachusetts, RVSI bills itself as the world leader in vision-based semiconductor inspection and media transfer equipment. Dataline is an information technology integrator for customers in the commercial and government sectors.

These related programs are designed to further develop Data Matrix standards; create safer and more robust part identification marking processes; and implement user-friendly software that will quickly verify mark quality on mobile marking devices. As part of these programs, RVSI and NASA are also developing readers designed

to locate, capture and decode Data Matrix symbols that are covered with protective coatings or hidden from view for esthetic or security purposes.

ASA has been watching this program since the Coast Guard first invited the Association to examine their progress in 1997. It uses two-dimensional symbologies, recent advances in digital imaging, and innovative marking technologies to track parts in a permanent manner. The commercial applications of their research could reflect the next major wave of change in aircraft parts tracking technologies.

The primary purpose of the Phase II AFCPDPMVP will be to test, under actual aircraft operating conditions, new marking and reading technologies stemming from the previous government development projects. The USCG Aircraft Repair and Supply Center in Elizabeth, North Carolina is managing the program and will provide the parts from the HH-60 Jayhawk medium range recovery helicopters to use as test beds.

During the program, the Dataline/RVSI team will apply Data Matrix symbol to critical aircraft parts using direct part marking processes (ranging from printing on some parts to laser ablation on others) that will be subjected to real life environments. These include part storage, field installation, flight, service, repair, and overhaul. Other program activities will include demonstrations of a new stress measurement system that utilizes the Data Matrix symbols as a baseline for stress measurement, mobile marking carts designed to mark parts in the field, symbol enhancement kits to restore contaminated symbols to readability and read-through-paint readers to image markings covered with protective finishes. The program is expected to be completed in less than

*(Continued from page 105)*

### *Approval for Return to Service*

The use of the 8130-3 for approval for return to service is voluntary. So no repair station has to use it. Also, the FAA Order 8130.21C provides guidance that is only binding on the FAA and not on the industry, so anything that Order 8130.21C says about approval for return to service represents an idea about one way to complete the form but it is not legally binding. Another way of saying this would be to say that if a repair station completed a 8130-3 tag as an approval for return to service document and failed to follow the requirements of FAA Order 8130.21C, but complied with all of the regulations that apply to approval for return to service, then the FAA would not be able to win an enforcement action for a regulatory violation by virtue of the approval for return to service. This means that the guidance of 8130.21C on approval for return to service should be read as non-binding.

Order 8130.21C states that when the 8130-3 tag is used for approval for return to service, the term "N/A" should be written into block nine.

Many repair stations still write "TBV" or something similar in block nine. Although writing "TBV" in block nine is not a regulatory violation, and it does not invalidate the approval for return to service, we nonetheless recommend writing "N/A" in order to prevent confusion, because it is the recommended language found in FAA Order 8130.21C.

For more information, see FAA Order 8130.21C which is available on the internet, or feel free to call the Association at our new number, (202) 347-6899.

## FAA Responds to ASA's Comments on New AD Standards

(Continued from page 103)

be the question that the reader truly has in mind. A larger problem, however, arises from the nature of the FARs themselves and their relation to the underlying statute, the Federal Aviation Act. The question-and-answer format for regulations works best when the underlying statute sets forth fairly specific standards, and the agency regulations provide additional interpretive details. The Federal Aviation Act, however, is written with less detail than many other statutes, and the FARs, as a consequence, establish standards themselves, rather than interpreting legislative standards. The FAA provides interpretation by issuing Advisory Circulars to explain the FARs, in effect adding another formal level of guidance that is not seen in many other agencies. ASA

has long argued that standard-setting nature of the FARs makes it more appropriate to leave them in more straightforward regulatory language. The question-and-answer format is better suited to Advisory Circulars, which provide interpretation.

While the FAA agreed that it may not always be appropriate to phrase section headings as questions, the agency remains convinced that the overall principles of the Plain Language Initiative do enhance reader comprehension and ultimately contribute to safety. Accordingly, the agency adopted a modified question-and-answer format for the amended Part 39. Significantly, though, the ADs themselves continue to be written in the same style they always have.

### Changed Products

Another area of concern ASA pointed out in the proposed rule was the applicability of ADs to products that have been modified, altered, or repaired in the area addressed by the AD. The proposed version of section 39.15 was poorly worded and lumped together both the question of applicability of an AD to changed products and the operator's responsibility when a change to the product affects the operator's ability to comply with the AD. ASA recommended several clarifications.

In the final rule, the FAA split the proposed 39.15 into two sections. The new section 39.15 clearly sets forth that ADs apply to each identi-

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## SBA Updates Distributors' Classification Codes

The SBA Office of Size Standards has proposed amending some of the codes it uses to classify businesses for the purposes of establishing standards for what constitutes a "small" business. The code applicable to distributors is scheduled to change from 421860 to 423860. The change is mostly of an administrative nature and will have little day-to-day effect on most businesses. The actual size standard remains the same – distributors are considered small businesses for SBA purposes if they have 100 or fewer employees. (Note that a different standard applies for government procurement programs. Distributors with 500 or fewer employees are considered small businesses in that context.)

The SBA uses the North American Industry Classification System, or NAICS, to categorize businesses according to the products or services they offer. The size thresholds for

small businesses vary according to a company's NAICS classification. A complete listing of NAICS codes and the applicable small-business size limits can be found at 13 C.F.R. section 121.201, which is available online at <http://www.sba.gov/size/Table-of-Small-Business-Size-Standards-from-final-rule.html>. Depending on the classification, the limits are expressed either in terms of the number of employees or the dollar amount of annual receipts.

The recent amendment incorporates changes made to some NAICS codes earlier this year. Parts distributors previously fell under NAICS code 421860, "Transportation Equipment and Supplies (except Motor Vehicle) Wholesalers." As part of the amendment, industry "Subsector" 421, applicable to "Wholesale Trade – Durable Goods," and Subsector 422, applicable to "Wholesale Trade – Nondur-

able Goods," have been re-designated as Subsector 423, "Merchant Wholesalers, Durable Goods" and Subsector 424, "Merchant Wholesalers, Nondurable Goods," respectively. The new code and title applicable to most distributors is 423860, "Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers."

It is unlikely that this change will have any effect on distributors' day-to-day activities. Because the changes are considered routine and noncontroversial, the SBA has proposed that the amendment go into effect without further action on October 1, 2002. Interested parties are invited to submit comments by September 12, 2002.

Although it is not likely in this case, the SBA may withdraw the rule and postpone the changes in the event it receives sufficient adverse comments.

### Achieving Improved Practices for Aircraft Parts Distribution ASA 2002 One-day Workshops

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- ◆ Suspected Unapproved Parts
- ◆ Parts Documentation
- ◆ Changes in Laws & Regulations
- ◆ Getting Paid in Today's Economy

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[www.aviationsuppliers.org](http://www.aviationsuppliers.org)

Non-member companies are welcome to participate.

- October 10—Atlanta, GA
- October 17—New Jersey/New York
- October 29—Seattle, WA
- October 31—Los Angeles, CA
- November 19—Dallas, TX
- November 21—Chicago, IL
- December 10—Ft. Lauderdale/Miami, FL

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## FAA Registry Goes Electronic

The FAA continues its march into the 21<sup>st</sup> Century with the recent announcement that the FAA Aircraft Registration Division is converting the aircraft records maintained at the Registry in Oklahoma City into an electronic format.

Aircraft registration records contain documents related to an aircraft's registration history, such as applications for aircraft registration, evidence of ownership, security agreements, liens, lien releases, leases, and lease terminations. The airworthiness portion of the file contains items such as applications for airworthiness certificates, copies of airworthiness certificates, major repair and alteration reports, and related items.

Traditionally, the Registry maintained its official registration records on updateable microfiche. The decision to phase out microfiche was driven both by a desire to modernize the Registry's recordkeeping system and by the practical concern that sources of microfiche stock are becoming scarcer.

Under the new procedure, which went into effect on August 8<sup>th</sup>, aircraft records will now be made available on CD-ROM. Each CD will contain one complete aircraft record. The records are saved as digital portable document files ("pdf"), and a free copy of the Adobe Acrobat Reader software is included on each CD to ensure that users can access the file. The cost is \$5.00 per record, plus an additional \$3.00 per record for an official certification that the record is true and complete (often necessary for legal proceedings).

Paper copies are also available, though the retrieval fees are slightly higher, since a typical paper record consists of 76 pages. A paper copy of a 76-page record would run \$6.05,

plus \$3.00 for certification, if requested. Records for aircraft removed from the U.S. Civil Aircraft Register prior to 1984 must be retrieved from a federal storage facility (for an additional \$2.00 fee) will be available on paper only.

In addition to providing copies of complete aircraft records by mail, the FAA Registry makes certain information available on the Internet at its Aircraft Registration Inquiry Web Site (<http://registry.faa.gov/arquery.asp>). Ten different search queries are available: N-number, serial number, make/model, owner name, engine reference, index of documents filed, dealer information, registration by state and county, registration by territory and country, and N-number availability.

It is now also possible to download a copy of the *entire* Aircraft Registration database. The records in each database file are stored in a comma delimited format (CDF) and can be manipulated by common database and spreadsheet applications. PKZip software for your type of computer is also required to extract all of the files from the archive. Modem users should allow plenty of time for the download – even the compressed database is approximately 25 megabytes.

Internet searches and mail service have become more important in the last year, since security concerns have led the FAA Registry to close its public reading room until further notice. General information about aircraft registration and the services offered by the Aircraft Registration Division is available on the Internet at <http://registry.faa.gov/aircraft.asp>. Information on Airmen records maintained by the Airmen Certification Branch can be found at <http://registry.faa.gov/airmen.asp>.

## New AD Standards

*(Continued from page 107)*

fied product, regardless of whether the product has been modified, altered, or repaired in the area in covered by the AD. The result is a significant improvement.

A new section 39.17 clarifies the operator's responsibilities when a change to the product affects their ability to comply with the AD, but fails to address a problem ASA called attention to in its comments. Under the new rule, if a prior alteration affects the operator's ability to comply with the AD as written, the operator must request the FAA's permission to use an alternative method of compliance. The request must show either that the change to the product has already eliminated the unsafe condition, or describe the specific actions the operator proposes to take to correct that unsafe condition. The problem this presents, ASA noted, is that the aircraft in question, even if it has already been modified in such a way as to eliminate the unsafe condition, must still remain grounded until the operator is able to *show* the FAA that this is the case. In many cases, though, the demonstration was made already during the approval process associated with the alteration. The FAA countered that as a practical matter, it can only write ADs for the main configurations approved under type certificates or supplemental type certificates. Given the vast variety of potential changes to aircraft, the FAA maintains that it cannot be sure that a particular change actually eliminated the unsafe condition until the operator actually demonstrates it. The new rule reflects this requirement.

### *Alternate Means of Compliance*

The FAA did clarify its requirements with regard to proposing alternate

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UPNs are published by the FAA's SUPs Program Office. They are republished here as a service to our readers. The Association is not responsible for claims made by the Notification. All questions should be directed to the FAA contact office listed in the Notification.

# UNAPPROVED PARTS NOTIFICATION

SUSPECTED UNAPPROVED PARTS PROGRAM OFFICE, AVR-20  
45005 AVIATION DRIVE, SUITE 214  
DULLES, VA 20166-7541



U.S. Department  
of Transportation  
**Federal Aviation  
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No. 2001-00089  
August 12, 2002

UPNs are posted on the internet at <http://www.faa.gov/avr/sups.htm>

Published by: FAA, AFS-610, P.O. Box 26460, Oklahoma City, OK 73125

## AFFECTED AIRCRAFT

Boeing 737.

## PURPOSE

The purpose of this notification is to advise all aircraft owners, operators, manufacturers, maintenance organizations, and parts distributors regarding improperly overhauled auxiliary rudder power control units (PCUs). These PCUs were approved for return to service on Federal Aviation Administration (FAA) Form 8130-3 by Nestor Camacho, representing Jetpower Services, Inc. (Jetpower), an FAA-certificated repair station (Air Agency Certificate No. J1VR787Y), located at 8517 NW 66th Street, Miami, FL 33166.

## BACKGROUND

An FAA suspected unapproved parts investigation revealed that Nestor Camacho improperly overhauled PCUs (part no. 1U1087) and approved them for return to service as part no. 1U1150-3 between January 3 - 8, 2001. The manufacturer's overhaul manual does not contain instructions for this type of modification. The investigation further revealed that Nestor Camacho was not employed by Jetpower or authorized to use their name and certificate number. Evidence indicates that Premier Air Parts, previously located at 2667 E. 28<sup>th</sup> Street, Suite 503, Signal Hill, CA 90806, had purchased and/or sold some of the referenced units. Premier is no longer in business, and the location of the following PCUs is unknown:

NOMENCLATURE	PART NUMBER	SERIAL NUMBER
Power Control Unit	1U1150-3	201
Power Control Unit	1U1150-3	372
Power Control Unit	1U1150-3	531
Power Control Unit	1U1150-3	673
Power Control Unit	1U1150-3	685
Power Control Unit	1U1150-3	687
Power Control Unit	1U1150-3	690
Power Control Unit	1U1150-3	704
Power Control Unit	1U1150-3	737
Power Control Unit	1U1150-3	9911

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## RECOMMENDATIONS

Regulations require that type-certificated products conform to their type design and be properly maintained using current data, required equipment, and appropriately trained personnel. Aircraft owners, operators, manufacturers, maintenance entities, and parts distributors should inspect their aircraft and/or parts inventory for any parts listed above. Appropriate action should be taken if any of these parts have been installed on an aircraft. If any existing inventory includes these parts, the FAA recommends that you quarantine the parts to prevent installation on an aircraft.

## FURTHER INFORMATION

Further information concerning this investigation and guidance regarding the above-referenced PCUs may be obtained from the FAA Flight Standards District Office (FSDO) shown below. The FAA would appreciate any information regarding the discovery of these unapproved parts from any source, the means used to identify the source, and the action taken to remove the parts from inventory or service.

This notice originated from the Miami FSDO, 8600 NW 36<sup>th</sup> Street, Suite 201, Miami, FL 33166, telephone (305) 716-3400, fax (305) 716-3456; and was published through the FAA Suspected Unapproved Parts Program Office, AVR-20, telephone (703) 661-0580, fax (703) 661-0113.

## REGULATORY UPDATE

### New AD Plain-Language Standards

(Continued from page 109)

means of compliance with an AD. ASA had objected to the somewhat vague requirement in the proposed rule to send proposals concerning alternate methods of compliance to “the FAA manager identified in the directive,” noting that ADs have in the past listed engineers or other non-managers as points of contact. The final rule specifies that operators should send their proposals to their principal inspector, unless otherwise authorized.

ASA also asked what standards the FAA would use to review submitted proposals. ASA wanted applicants to know that the request would be granted if the applicant shows that the proposal would provide an equivalent level of safety. The FAA refused to budge on this issue as well, maintaining once again that the range of unsafe conditions and possible alternative methods makes it inappropriate for the agency to set forth specific standards.

In response to another ASA comment, the FAA insisted that the revised ver-

sion of Part 39 will not change or eliminate any current bases for approval of alternative methods of compliance. At the same time, the FAA denies that it has used certain authorities as the basis for approval of an alternate method, such as procedures published in an operator’s general maintenance manual per 14 CFR § 43.13(c), or process specifications approved by the FAA under 14 CFR § 21.205(d). Nevertheless, ASA is aware that the FAA has in fact approved alternate methods on these bases in cases where application was made directly to the local FSDO. The result is that the rules for AMOCs are not significantly clearer under the new rule than they were under the old.

#### *Protecting Proprietary Information & Other Issues*

The proposed rule stated that the FAA office responsible for an AD could provide information about the existence of any alternatives the FAA has approved. ASA raised a concern that this rule appeared to allow the public release of proprietary information, possibly in violation of criminal law.

In the preamble to the final rule, the FAA explained that it was only authorizing the office in question to publicly reveal the *existence* of approved alternate methods of compliance. Any requests for more specifics would be handled as any other request under the Freedom of Information Act, which provides an exception from disclosure for proprietary information.

The new rule clarifies the rules for obtaining ferry permits that allow operators to fly an aircraft to a facility where AD compliance work would be performed; and it specifies that if the requirements of an AD conflict with those in a service bulletin then, the AD prevails.

#### *Conclusion*

The new Part 39 became effective on August 21, 2002. While ASA did not get the FAA to see things our way on every point, the new rule is better for incorporating at least some of the association’s suggestions. Thanks to all the members who offered their thoughts and suggestions!

# Issues of the Update Report Are Now Online!

Are you reading a borrowed copy of the Update Report? Subscriptions to the Update Report are now FREE to persons in the aviation industry or the government. To receive your free subscription, send your name, title, company, address, phone number, fax number and email address to ASA. Our email address is [info@aviationsuppliers.org](mailto:info@aviationsuppliers.org) and our fax number is (202) 347-6894.

Back issues of the Update Report are now on-line! Missing a prior issue? Issues of the Update Report are being added to the ASA web site about one month after they are published. Complete sets of volumes six through nine are now on-line!

## UPCOMING EVENTS

*\* = Look for ASA personnel on the speaking program*

*ASA is currently working on the 2002 workshop and training schedule. Tentative dates are listed here.  
More information will be available soon. Keep checking our website for the latest updates.*

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|--------------------|---|
| <b>Sept. 10-12</b> | <b>NBAA Convention</b> , Orlando, FL. See <a href="http://www.nbaa.org">www.nbaa.org</a> on the web.  |
| <b>Sept. 11-12</b> | * <b>ASA Hazmat/Dangerous Goods Conference</b> , Miramar, FL. Call (202) 347-6899 or see our website.   |
| <b>Sept. 23-25</b> | <b>European Aviation Industry Suppliers Conference</b> , Toulouse, France. Call (310) 203-9603.   |
| <b>Oct. 10</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Atlanta, GA. See page 107 for details.  |
| <b>Oct. 17</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , New Jersey/New York. See page 107 for details.  |
| <b>Oct. 23-24</b>  | * <b>ASA Hazmat/Dangerous Goods Conference</b> , Washington, DC. Call (202) 347-6899 or see ASA's website at <a href="http://www.aviationsuppliers.org">http://www.aviationsuppliers.org</a> .  |
| <b>Oct. 29</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Seattle, WA. See page 107 for details.  |
| <b>Oct. 31</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Los Angeles, CA. See page 107 for details.  |
| <b>Nov. 3-5</b>    | <b>Regional &amp; Corp. Aviation Industry Suppliers Conf.</b> , Rancho Mirage, CA. Call (310) 203-9603.   |
| <b>Nov. 19</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Dallas, TX. See page 107 for details.   |
| <b>Nov. 21</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Chicago, IL. See page 107 for details.  |
| <b>Dec. 4-5</b>    | * <b>ASA Hazmat/Dangerous Goods Conference</b> , Los Angeles, CA. Call (202) 347-6899 or see ASA's website at <a href="http://www.aviationsuppliers.org">http://www.aviationsuppliers.org</a> . |
| <b>Dec. 10</b>     | * <b>ASA Workshop: Achieving Improved Practices</b> , Fort Lauderdale/Miami, FL. See page 107 for details.  |

*We've moved!! Please update your records to reflect our new location at:  
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**September 2002**