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January 15, 2009

Ms. Elizabeth Bumann  
Federal Aviation Administration  
AIR-140  
6500 S. MacArthur Blvd.  
ARB 308  
Oklahoma City, OK 73169

Dear Ms. Bumann:

**Re: Airworthiness Directives (AD) Manual, FAA-IRM-8040.1 Revision C**

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization representing the interests of more than 415,000 pilots and aircraft owners. AOPA has reviewed the Federal Aviation Administration's (FAA) proposed changes to the Airworthiness Directives Manual (Revision C of FAA-IRM-8040.1). AOPA recommends that references to the Airworthiness Concern Process be included in appropriate sections of this revision.

**Integrate Airworthiness Concern Process throughout the Airworthiness Directive Manual**

The Airworthiness Concern Process provides the GA community much-needed access to the FAA's continued airworthiness process. As the GA fleet continues to age and manufacturer support continues to dwindle, increased industry participation in the development of airworthiness actions is necessary to ensure the continued operational viability of the GA piston fleet. The Airworthiness Directive Manual should include references to the Airworthiness Concern Process where appropriate.

As an example, Chapter 2 of the Airworthiness Manual titled "General Rulemaking" should include the proper use and timing of the Airworthiness Concern Process by either referencing or incorporating the pertinent information from the existing Airworthiness Concern Process Guide. The addition of the Airworthiness Concern Process to Chapter 2 should also make clear that this process is intended to be conducted *prior* to the rulemaking process and is not considered an *ex parte* communication as covered by Chapter 3 entitled "Ex Parte Contacts."

Currently, the Airworthiness Concern Process Guide is a supplement to the Airworthiness Directive Manual but no direct reference is made to the Airworthiness Concern Process in the Airworthiness Directive Manual itself. The system requires that Aircraft Certification Office engineers and other Airworthiness Directive authors remember that there is a supplement covering the Airworthiness Concern Process and elect to participate in that process. The current edition of the Airworthiness Directive Manual should standardize the use of the Airworthiness Concern Process.

Ms. Elizabeth Bumann

Page 2

January 15, 2009

### **Airworthiness Directive Manual**

The Airworthiness Directive Manual provides detailed processing procedures for the development, issuance and distribution of ADs. This revision affects the entire manual with reorganization of the material into a more user friendly format and incorporates current policy and guidance on the airworthiness directive (AD) process (e.g., distribution of ADs, how to identify potential commenters, etc.). This revision also standardizes how on-condition costs are addressed in ADs, use of the term "series" in the subject/product identification/applicability and what is placed into the Federal Docket Management System (FDMS).

### **Airworthiness Concern Process**

The Airworthiness Concern Process is a cooperative information-sharing initiative between industry and the FAA intended to increase industry participation in the development of airworthiness issues *before (or in lieu of)* a proposed or final airworthiness directive. The Airworthiness Concern Process focuses on gathering technical, economic and operational data before the FAA takes further action such as issuing an Advanced Notice of Proposed Rulemaking, Notice of Proposed Rulemaking (NPRM), Supplemental NPRM, or immediately adopted final rule. The process has been successfully employed for airframe-related concerns since July 2000 and was expanded in May 2002 to include engine and propeller related airworthiness issues. The Airworthiness Concern Process provides the FAA a direct link to the real-world operational and maintenance knowledge and expertise offered by aircraft type clubs and their owner/operator members other than the full rulemaking process. The Airworthiness Concern Process provides AOPA, aircraft type clubs, and other organizations an opportunity to analyze potential concerns, verify whether or not they're actually occurring, and recommend the safest, most economically viable means of mitigation.

### **Summary**

The Airworthiness Directive Manual should include references to the Airworthiness Concern Process where appropriate. Revisions to FAA-IRM-8040-1 should fully integrate the Airworthiness Concern Process throughout the Airworthiness Directive Manual to help ensure the FAA has all available information on an airworthiness concern before initiating an airworthiness directive.

Sincerely,



Robert E. Hackman  
Senior Director  
Regulatory Affairs