

February 20, 2024

Docket Operations, M-30
U.S. Department of Transportation
1200 New Jersey Avenue SE, Room W12-140
West Building Ground Floor
Washington, DC 20590-0001

Docket No. FAA-2023-1893
Project Identifier AD-2023-00389-A

Re: Airworthiness Directives; FS 2001 Corp, FS2002 Corporation, FS 2003 Corporation, Piper, and Piper Aircraft, Inc. Airplanes

The Aircraft Owners and Pilots Association (AOPA) is the world's largest aviation membership association, representing individuals who collectively operate 85% of all general aviation aircraft in the United States. AOPA respectfully submits this response to the request for comment regarding the replacement of Piper rudder posts contained in this Airworthiness Directive (AD) in addition to our support of comments submitted by the Short Wing Piper Club on February 8, 2024.

Since 1939, AOPA's mission has been to protect the freedom to fly while keeping aviation safe, fun, and affordable and to advocate for policies and rules that grow and protect the freedom to fly. We also serve our members when the regulatory scoping of ADs is not in line with what the evidence, history, or experience demonstrate.

AOPA appreciates the FAA agreeing with our and others' requests for the 90-day extension to allow time for additional comments and evidence of the need to rescope the AD to 'only' those affected aircraft to be provided. Considering that framework, AOPA has outlined our priorities and concerns below in response to the questions asked in the Request for Comment included in Docket No. FAA-2023-1893. These are in addition to our support provided to the Short Wing Piper Club's comments with supporting data submitted on February 8, 2024.

Lack of Required Information Provided to Support AD Proposal

While AOPA appreciates the FAA's interest and role in ensuring safety and understands its authority to issue Airworthiness Directives, the FAA must ensure it is providing all information required when issuing a proposed AD. What seems to be missing according to FAA Order 8040.1C is:

- a. Record of technical decision-making (i.e., the version of the AD action that is published in the Federal Register or emergency AD).
- b. FAA reports, summaries, or lists of facts, data, or reports that support the AD action.
- c. ADs or other similar documents issued by an international civil aviation authority.
- d. Regulatory Evaluation Form.
- e. Records of each ex parte contact or series of contacts.
- f. Comments received on the proposed rulemaking (if any).

g. Records of approval of IBR documents.

In addition, the agency must include the data or report on its independent analysis of the alleged unsafe condition. AOPA requests the FAA supply all required information accordingly to ensure the industry has all necessary information when proposing ADs.

Applicability of AD by Make/Model is Severely Out of Scope

Ensuring an appropriate applicability cannot be stated enough. The financial impact and hardship for aircraft owners, especially when evidence shows that their aircraft should not be included in the AD applicability, negatively affects general aviation and can stagnate growth for an industry facing extensive shortages of personnel entering the aviation sector. AOPA understands the necessity to issue an AD when a valid safety concern is identified and verified; however, when a blanket applicability statement is utilized, as in this case, where over 30,000 aircraft, of which the majority should not be affected by the AD, it tarnishes the FAA AD process. AOPA requests that the FAA accomplish a thorough review based on the evidence provided by numerous commenters.

The Estimated Cost of the AD is Woefully Behind the Times Due to The Hourly Rate

It has been years since the average industry hourly cost for aircraft maintenance was \$85/hour. The FAA has used this low hourly rate for years to calculate the economic impact on owners and the industry. The labor hours are also low for the work this AD requires. As described in the Short Wing Piper Club comments, the FAA should increase the cost to a more realistic hourly and labor-hour rate.

Support For the Technical Evidence and Discussion

AOPA supports the Short Wing Piper Club's comments regarding all technical aspects of their research and evidence provided in the posted comments. The comments posted for this AD NPRM clearly demonstrate the need for the FAA to reevaluate this AD. Noteworthy is that the proposal, as written, provides no other option outside of part replacement. The FAA should provide repair options and inspection methods, which many commenters speak to. For example, there are standard tubing repair procedures in AC 43-13, which provide an acceptable method for tubing repair that was not considered.

Airworthiness Concern Sheet Process

It became apparent that the Airworthiness Concern Sheet (ACS) process failed to achieve its intended goal. After hearing from our members about the lack of outreach from the FAA and AOPA on this AD NPRM, AOPA reached out to the FAA office responsible for the ACS process and discovered that the system put in place years ago had dwindled to being almost non-existent. AOPA is stepping up and is working with the FAA to reinstitute the ACS notification process to help ensure this type of situation does not arise again. The FAA can then reach out to the industry for expertise before issuing a proposed AD. The revamped ACS process is in development now, and we hope to have it fully operational in the next few months. AOPA appreciates the FAA's help in bringing this important tool back.

Conclusion

AOPA supports the FAA's AD process to ensure aviation safety in the general aviation fleet when properly scoped to affect only those aircraft necessitating them. We look forward to continued work with the FAA and industry on this important effort. If you have any questions, please feel free to contact me at 202-851-7505 or at murray.huling@aopa.org

Sincerely,

Murray D. Huling
Vice President, Regulatory Affairs
Aircraft Owners and Pilots Association