

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 121, 127, 135, and 145****[Docket No. 17551; SFAR No. 36-6]****Special Federal Aviation Regulation No. 36, Development of Major Repair Data****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to amend and extend Special Federal Aviation Regulation (SFAR) No. 36, which provides that authorized repair station and aircraft operating certificate holders may approve aircraft products or articles for return to service after accomplishing major repairs using self-developed repair data that have not been directly approved by the Federal Aviation Administration (FAA). Proposed amendments include clarification of the scope of the SFAR authorization. Extension of the regulation would continue to provide, for those that qualify, an alternative from the requirement to obtain direct FAA approval of major repair data on a case-by-case basis, and would allow additional time for the FAA to incorporate the SFAR provisions into the regulations.

DATES: Comments must be received on or before November 22, 1993.

ADDRESSES: Comments on this proposal should be mailed, in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-10), Docket No. 17551, 800 Independence Ave., SW., Washington, DC 20591. Comments delivered must be marked Docket No. 17551. Comments may be examined in room 915G weekdays between 8:30 a.m. and 5 p.m., except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Continued Airworthiness Staff, Aircraft Engineering Division, AIR-107, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, telephone: (202) 267-7218.

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 environmental, energy, or economic impacts that might result from adoption

of the proposal contained in this notice are invited. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address above. All communications received on or before the closing date for comments will be considered by the Administrator before taking action on the proposals; the proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this proposal will be filed in the Rules Docket. Commenters wishing acknowledgment of mailed comments should enclose a stamped, self-addressed postcard on which the following statement is made: "Comments on Docket No. 17551." The postcard will be dated and time stamped and returned to the commenter.

Availability of 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-430, 800 Independence Avenue, SW., Washington, DC 20591, Telephone: (202) 267-3483. Each communication must identify the notice number of this NPRM.

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

Background*Statement of the Problem*

Special Federal Aviation Regulation No. 36 allows authorized certificate holders (domestic repair stations, air carriers, air taxi operators of large aircraft, and commercial operators of large aircraft) to approve aircraft products and articles for return to service after accomplishing major repairs using data developed by the holder that have not been directly approved by the FAA. More than 40 air carrier and domestic repair station certificate holders currently have SFAR 36 authorizations. Because SFAR 36 will terminate on January 23, 1994, these authorizations will not be renewable unless the termination date of the SFAR is extended. Since the SFAR was initially adopted in 1978, some of the regulatory language has been subjected to differing field

interpretation. As a result, some repaired products have been returned to service by SFAR 36 authorization holders that did not have return to service authority. These interpretations are the result of changes in the repair industry since the initial adoption of the rule. The original SFAR 36 did not foresee that some repair stations would be authorized only to perform maintenance on parts or components of articles without authorization to return them to service. These interpretations of eligibility have allowed several SFAR 36 authorizations to be issued and used inconsistently with the original intent of the SFAR.

An aircraft "product" is an aircraft, airframe, aircraft engine, propeller, or appliance. An aircraft "article" is an airframe, powerplant, propeller, instrument, radio, or accessory. Although some repair stations are authorized only to perform maintenance on parts of articles or products, some SFAR 36 authorizations were used by these repair station certificate holders to approve the articles and products for return to service.

The FAA has found that while repair stations that specialize in the repair of parts or components of aircraft articles or products may have the technical capability and scope sufficient for the individual repair, they do not necessarily possess the overall knowledge necessary for returning an article or product to service. Only repair stations and air carriers that understand the form, fit, and function of an aircraft article or products should be authorized to approve that article or product for return to service after a major repair. Furthermore, one must understand the form, fit, and function of the article or product in order to appreciate the ramifications of a major repair being developed for that article or product. When the FAA finds that a repair station or air carrier has that necessary understanding, the FAA issues it a certificate and operations specifications commensurate with that finding, and the repair station or air carrier is granted return to service authority. This higher level of certitude by the FAA in the work and knowledge of the repair station or carrier that is authorized to approve the rated article or product for return to service is the basis for the SFAR 36 authorization to develop and use data for major repairs without direct FAA approval of the data. The preamble to the original SFAR 36 reflected this intent to limit the authorization to these repair stations and carriers when it discussed the need to have damaged aircraft repaired and returned to service as quickly as possible. The SFAR 36

system was never intended to support repairs accomplished further up in the repair stream.

Current Requirements

Current SFAR 36 states that, contrary provisions of §§ 121.379(b), 127.140(b), and 145.51 of the Federal Aviation Regulations notwithstanding, a certificate holder may approve an aircraft, airframe, aircraft engine, propeller, or appliance for return to service after accomplishing a major repair if the data used for the repair was developed by that certificate holder in accordance with an authorization issued under Special Federal Aviation Regulation No. 36. The current SFAR terminates on January 23, 1994.

History

Prior to the adoption of SFAR 36, certificate holders that were qualified to make repairs were required to obtain FAA approval on a case-by-case basis for data they had developed to perform major repairs. The only alternative to the time-consuming, case-by-case approval method was to petition for and obtain an exemption granting relief from the regulation. The number of exemptions being granted indicated that revisions to the Federal Aviation Regulations (FAR) were necessary, and SFAR 36 was adopted on January 23, 1978, as an interim rulemaking action. Adoption of the SFAR eliminated the requirement for the authorized certificate holders to petition for exemption from the regulation, and allowed the FAA additional time to obtain the information necessary to develop a permanent rule change. Most of the affected certificate holders, however, did not use the provisions of SFAR 36 until it was well into its second year and nearing its expiration date of January 23, 1980. Since the FAA did not yet have sufficient data upon which to base a permanent rule change, the termination date for SFAR 36 was extended to January 23, 1982.

Although the FAA has considered consolidating certain authorizations along with those issued under SFAR 36 to make them permanent parts of the regulations, no rulemaking action has been undertaken, and SFAR 36 has been extended three times. Currently, regulatory action is under consideration by the Aviation Rulemaking Advisory Committee (ARAC), and is discussed below.

Related Activity

The FAA has delegated to the ARAC the task of reviewing the current system of delegations to perform certain aircraft certification functions to determine

what, if anything, would improve the safety, quality, and effectiveness of the system. The ARAC may then forward to the FAA any recommendations for new or revised rules incorporating the provisions of SFAR 36, and any advisory, guidance, or collateral materials. Rulemaking actions based on the recommendations, if any, are not expected to be accomplished before the termination date of SFAR 36, January 23, 1994.

General Discussion of the Proposal

Section 1

The FAA proposes to define aircraft "product," "article," and "component" for the purpose of the SFAR. The definitions would help to explain more clearly an authorization holder's return to service authority.

Section 2

The FAA proposes to restate the general provisions of the current SFAR in terms applicable to the individual types of eligible certificate holders. Proposed paragraph (c) of section 2 clarifies that an SFAR 36 authorization does not expand the scope of authority of a repair station certificate holder; i.e., it does not give a repair station return to service authority for any article for which it is not rated or change the articles it is rated to repair.

Section 3

Proposed section 3 states that an authorized certificate holder may approve an aircraft product or article for return to service after accomplishing a major repair, using data not approved by the Administrator, only in accordance with the amended SFAR. Proposed section 3 requires that the data used to perform the major repair be developed and "approved" in accordance with the holder's authorization and procedures manual. Proposed section 3 also enables an authorization holder to use its developed repair data on a subsequent repair of the same type of product or article. For each subsequent repair, the holder would determine that accomplishment of the repair, using previously developed data, will return the product or article to its original or properly altered condition, to conform to all applicable airworthiness requirements. In addition, each subsequent use of the data would have to be recorded in the authorization holder's SFAR records.

Section 4

Proposed section 4 describes the procedures for applying for an SFAR 36 authorization.

Section 5

Proposed section 5 provides the requirements a certificate holder must meet to be eligible for an SFAR 36 authorization. Paragraphs (a)(2), (a)(3), and (b) define the personnel required and incorporate clarifying changes from the current SFAR. Paragraph (c) contains the reporting requirement of the current SFAR that pertains to changes that could affect the holder's continuing ability to meet the SFAR requirements.

Section 6

Proposed section 6 describes the procedures manual requirements. Paragraph (c) of proposed section 6 requires that an authorization holder that experiences a change in procedures or staff obtain and record FAA approval in order to continue to approve products or articles for return to service.

Section 7

Proposed section 7 states that the amended SFAR 36 terminates on January 23, 1999. All authorizations issued under the amended SFAR would terminate on that date unless earlier surrendered, suspended, revoked, or otherwise terminated.

Section 8

Proposed section 8 prohibits the transfer of an SFAR 36 authorization. This prohibition is retained from section 7 of the current SFAR.

Section 9

Proposed section 9 contains the inspection provisions of the current SFAR. It also emphasizes that the FAA must be able to determine whether an applicant has, or a holder maintains, personnel adequate to comply with the provisions of the SFAR and any additional limitations contained in the authorization.

Section 10

Proposed section 10 re-emphasizes that an SFAR 36 authorization does not expand the scope of products or articles that an aircraft operator or repair station is authorized to approve for return to service. This proposed section also emphasizes that the authorization allows a holder to approve for return to service a product or article after major repair performed by the holder using data developed by the holder without direct FAA approval of that data.

Section 11

Proposed section 11 contains the additional limitations provision of the current SFAR.

Sections 12 and 13

Proposed sections 12 and 13 retain, with clarifying changes, the data review and service experience requirements and the record keeping requirements of the current SFAR. Section 12 states the circumstances in which a holder would be required to submit the information necessary for corrective action on a repair. Paragraph (b) of section 13 lists the identification information required rather than use the term "FAA identification," which has been the source of confusion.

As noted above, the FAA is proposing a termination date of January 23, 1999, for SFAR No. 36. The 5-year extension was chosen to allow enough time for the ARAC to deliberate and forward a recommendation, and enough time for the FAA to deliberate and act upon it. If this proposed rule is adopted, each FAA office having jurisdiction over a current SFAR 36 authorization will reevaluate each holder in terms of the amended rule. All current holders would be notified in writing as to whether they continue to qualify under the amended rule.

Some current SFAR 36 holders' authorizations will lapse on the current termination date, January 23, 1994, unless they are authorized under the amended SFAR. The FAA would work with these holders that no longer qualify to establish, where possible, other means to perform major repairs. The means may include submitting repair data to an aircraft certification office (ACO) for approval, utilizing a consultant designated engineering representative (DER) to approve the data, or employing a company DER.

The extension of SFAR 36 would allow uninterrupted activity of the current authorization holders that qualify under the amended SFAR; those authorizations would be extended without the holders reapplying for authorization. The extension would also allow a new, qualified applicant to obtain an authorization, instead of petitioning for exemption from the regulations.

Paperwork Reduction Act

The reporting requirements of SFAR 36 have been submitted to the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

Regulatory Evaluation

This section summarizes the regulatory evaluation prepared by the FAA on the amendments to 14 CFR parts 121, 127, 135, and 145—Special Federal Aviation Regulation No. 36,

Development of Major Repair Data. This summary and the full regulatory evaluation quantify, to the extent practicable, estimated costs and anticipated benefits to the private sector, consumers, and Federal, State, and local governments.

The FAA has determined that this rulemaking is not a significant regulatory action as defined by Executive Order 12866, and no Regulatory Impact Analysis was prepared. Nevertheless, in accordance with Department of Transportation Policies and Procedures, the FAA has evaluated the anticipated costs and benefits, which are summarized below. For more detailed economic information, see the full regulatory evaluation contained in the docket.

Cost Analysis

The FAA estimates that the one-time total cost of compliance would be \$54 for the industry and about \$840 for the FAA. This cost estimate was derived based upon two components: (1) Current SFAR 36 certificate holders (that would not qualify under the amended rule) applying for a DER, and (2) FAA costs to review SFAR 36 and DER authorizations.

Benefit Analysis

The proposed rule, with the changes noted in the preamble and the extended termination date, would allow certificate holders that qualify under the amended SFAR to continue to use their SFAR 36 authority and not incur the time and cost involved in applying for individual approvals of repair data or applying for exemptions from the regulations regarding major repairs.

The changes incorporated in the proposed rule will also eliminate ambiguities that exist because of the language in the present rule. These ambiguities have allowed component repair stations that do not have return to service authorization for articles to receive SFAR 36 authorizations "allowing" them to return articles to service. The FAA does not have as high a level of certitude in these facilities as it does in facilities that have been granted return to service authority for articles. The intent of SFAR 36, which allows authorized holders to approve self-developed data for major repairs, was to limit its scope to those repair stations in which the FAA had the highest level of certitude for the repairs they accomplish.

While there have been no documented instances of compromised safety as a result of articles repaired by those that hold the SFAR 36 authorization as a result of error, the

FAA has determined that the level of certitude in major repairs should not be compromised. Only those that understand the form, fit, and function of the articles and products they repair (i.e., those with return to service authorization for articles and products, but not components or parts) were meant to perform major repairs using self-developed and approved data. The benefit of this action would be to ensure that the major repairs accomplished under SFAR 36 authorizations are accomplished by the repair stations and air carriers with the necessary understanding of the form, fit, and function of the article or product being returned to service.

Comparison of Costs and Benefits

The costs associated with this proposed rulemaking (\$54 for industry and \$840 for the FAA) are negligible. In view of the negligible costs of the rule, coupled with benefits discussed above that affect all aircraft operators, the FAA has determined that the rule will be cost beneficial.

Initial Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) ensures that small entities are not unnecessarily and disproportionately burdened by Government regulations. The RFA requires agencies to review rules that may have a significant economic impact on a substantial number of small entities. The costs associated with this proposed rule are below any threshold established by FAA Order 2100.14A. Therefore, the proposed rule would not have a significant economic impact on any small entity.

International Trade Impact Statement

The proposed rule would have neither an effect on the sale of foreign aviation products or services in the United States, nor an effect on the sale of U.S. products or services in foreign countries since it would not impose costs on aircraft operators or U.S. or foreign aircraft manufacturers.

Federalism Implications

The regulations proposed herein would not have substantial direct effects on the states, on the relationship between the national government and the states, nor the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposed rule would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Conclusion

I certify that the proposed rule: (1) Is not a significant regulatory action under Executive Order 12866; (2) is not a significant rule under DOT Regulatory Policies and Procedures for Simplification, Analysis, and Review of Regulations (44 CFR 11304, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. In addition, this proposed rule has little or no impact on trade opportunities for U.S. firms doing business overseas, or on foreign firms doing business in the United States.

List of Subjects**14 CFR Part 121**

Air carriers, Airworthiness directives and standards, Aviation safety, Safety.

14 CFR Part 127

Air carriers, Aircraft, Airmen, Airworthiness, Aviation safety, Helicopters.

14 CFR Part 135

Air carriers, Air taxis, Air transportation, Aircraft, Airmen, Airplanes, Airworthiness, Aviation safety, Helicopters, Safety.

14 CFR Part 145

Air carriers, Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR parts 121, 127, 135, and 145 as follows:

PART 121—[AMENDED]

1. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. app. 1354(a), 1355, 1356, 1357, 1401, 1421-1430, 1472, 1485, and 1502; 49 U.S.C. 106(g).

PART 127—[AMENDED]

2. The authority citation for part 127 continues to read as follows:

Authority: 49 U.S.C. app. 1354(a), 1421, 1422, 1423, 1424, 1425, 1430, 49 U.S.C. 106(g).

PART 135—[AMENDED]

3. The authority citation part 135 continues to read as follows:

Authority: 49 U.S.C. app. 1354(a), 1355(a), 1421-1431, and 1502; 49 U.S.C. 106(g).

PART 145—REPAIR STATIONS

4. The authority citation for part 145 continues to read as follows:

Authority: Secs. 313, 314, 601, and 607, 72 Stat. 752; 49 U.S.C. app. 1354(a), 1355, 1421 and 1427; unless otherwise noted.

5. Special Federal Aviation Regulation No. 36, the text of which is found at the beginning of part 121, is revised to read as follows:

SFAR No. 36

1. Definitions. For purposes of this Special Federal Aviation Regulation—

(a) A product is an aircraft, airframe, aircraft engine, propeller, or appliance;

(b) An article is an airframe, powerplant, propeller, instrument, radio, or accessory; and

(c) A component is a part of an article or product.

2. General

(a) Contrary provisions of § 121.379(b) of the Federal Aviation Regulations notwithstanding, the holder of an air carrier operating or commercial operating certificate, or the holder of an air taxi operating certificate who operates large aircraft, who has been issued operations specifications for operations required to be conducted in accordance with 14 CFR part 121, may perform a major repair on a product, as described in § 121.379(a), using technical data that have not been approved by the Administrator, and approve that product for return to service, if authorized in accordance with this Special Federal Aviation Regulation.

(b) Contrary provisions of § 127.40(b) of the Federal Aviation Regulations notwithstanding, the holder of an air carrier operating certificate who has been issued operations specifications for operations required to be conducted in accordance with 14 CFR part 127 may perform a major repair on a product as described in § 127.140(a), using technical data that have not been approved by the Administrator, and approve that product for return to service, if authorized in accordance with this Special Federal Aviation Regulation.

(c) Contrary provisions of § 145.51 of the Federal Aviation Regulations notwithstanding, the holder of a domestic repair station certificate under 14 CFR part 145 may perform a major repair on an article for which it is rated, using technical data not approved by the Administrator, and approve that article for return to service, if authorized in accordance with this Special Federal Aviation Regulation. If the certificate holder holds a rating limited to a component of an article or product, the holder may not, by virtue of this Special Federal Aviation Regulation, approve that article or product for return to service.

3. Major repair data and return to service.

(a) As referenced in section 2 of this Special Federal Aviation Regulation, a certificate holder may perform a major repair on a product or article using technical data that have not been approved by the Administrator, and approve that product or article for return to service, if the certificate holder—

(1) Has been issued an authorization under, and a procedures manual that complies with, Special Federal Aviation Regulation No. 36, as amended on January 24, 1994;

(2) Has developed the technical data in accordance with the procedures manual;

(3) Has developed the technical data specifically for the product or article being repaired; and

(4) Has accomplished the repair in accordance with the procedures manual and the procedures approved by the Administrator for the certificate.

(b) For purposes of this section, an authorization holder may develop technical data to perform a major repair on a product or article and use that data to repair a subsequent product or article of the same type as long as the holder—

(1) Evaluates each subsequent repair and the technical data to determine that performing the subsequent repair with the same data will return the product or article to its original or properly altered condition, and that the repaired product or article conforms with applicable airworthiness requirements; and

(2) Records each evaluation in the records referenced in paragraph (a) of section 13 of this Special Federal Aviation Regulation.

4. Application. The applicant for an authorization under this Special Federal Aviation Regulation must submit an application, in writing and signed by an officer of the applicant, to the FAA Flight Standards District Office charged with the overall inspection of the applicant's operations under its certificate. The application must contain—

(a) If the applicant is

(1) The holder of an air carrier operating or commercial operating certificate, or the holder of an air taxi operating certificate who operates large aircraft, the—

(i) The applicant's certificate number; and
(ii) The specific product(s) the applicant is authorized to maintain under its certificate, operations specifications, and maintenance manual; or

(2) The holder of a domestic repair station certificate—

(i) The applicant's certificate number;
(ii) A copy of the applicant's operations specifications; and
(iii) The specific article(s) for which the applicant is rated;

(b) The name, signature, and title of each person for whom authorization to approve, on behalf of the authorization holder, the use of technical data for major repairs is requested; and

(c) The qualifications of the applicant's staff that show compliance with section 5 of this Special Federal Aviation Regulation.

5. Eligibility.

(a) To be eligible for an authorization under this Special Federal Aviation Regulation, the applicant must—

(1) Hold an air carrier, commercial, or air taxi operating certificate, and have been issued operations specifications for operations required to be conducted in accordance with 14 CFR part 121, 127, or 135.2, or hold a domestic repair station certificate under 14 CFR part 145;

(2) Have an adequate number of sufficiently trained personnel in the United

States to develop data and repair the products that the applicant is authorized to maintain under its operating certificate or the articles for which it is rated under its domestic repair station certificate; and

(3) Employ, or have available, a staff of engineering personnel that can determine compliance with the applicable airworthiness requirements of the Federal Aviation Regulations.

(b) At least one member of the staff required by paragraph (a)(3) of this section must—

(1) Have a thorough working knowledge of the applicable requirements of the Federal Aviation Regulations;

(2) Occupy a position on the applicant's staff that has the authority to establish a repair program that ensures that each repaired product or article meets the applicable requirements of the Federal Aviation Regulations;

(3) Have at least one year of satisfactory experience in processing engineering work, in direct contact with the FAA, for type certification or major repair projects; and

(4) Have at least eight years of aeronautical engineering experience (which may include the one year of experience in processing engineering work for type certification or major repair projects).

(c) The holder of an authorization issued under this Special Federal Aviation Regulation shall notify the Administrator within 48 hours of any change (including a change of personnel) that could affect the ability of the holder to meet the requirements of this Special Federal Aviation Regulation.

6. Procedures Manual.

(a) A certificate holder may not approve a product or article for return to service under section 2 of this Special Federal Aviation Regulation unless the holder—

(1) Has a procedures manual that has been approved by the Administrator as complying with paragraph (b) of this section; and

(2) Complies with the procedures contained in the procedures manual.

(b) The approved procedures manual must contain—

(1) The procedures for developing and determining the adequacy of technical data for major repairs;

(2) The identification (names, signatures, and responsibilities) of officials and of each staff member described in section 5 of this Special Federal Aviation Regulation who—

(i) Has the authority to make changes in procedures that require a revision to the procedures manual; and

(ii) Prepares or determines the adequacy of technical data, plans or conducts tests, and approves, on behalf of the authorization holder, test results; and

(3) A "log of revisions" page that identifies each revised item, page, and date of revision, and contains the signature of the person approving the change for the Administrator.

(c) The holder of an authorization issued under this Special Federal Aviation Regulation may not approve a product or article for return to service after a change in staff necessary to meet the requirements of section 5 of this regulation or a change in procedures from those approved under paragraph (a) of this section, unless that change has been approved by the FAA and entered in the procedures manual.

7. Duration of Authorization. Each authorization issued under this Special Federal Aviation Regulation is effective from the date of issuance until January 23, 1999, unless it is earlier surrendered, suspended, revoked, or otherwise terminated.

8. Transferability. An authorization issued under this Special Federal Aviation Regulation is not transferable.

9. Inspections. Each holder of an authorization issued under this Special Federal Aviation Regulation and each applicant for an authorization must allow the Administrator to inspect its personnel, facilities, products, and records upon request.

10. Limits of Applicability. An authorization issued under this Special Federal Aviation Regulation applies only to—

(a) A product that the air carrier, commercial, or air taxi operating certificate holder is authorized to maintain pursuant to its continuous airworthiness maintenance program or maintenance manual; or

(b) An article for which the domestic repair station certificate holder is rated. If the certificate holder is rated for a component of an article, the holder may not, in accordance with this Special Federal Aviation Regulation, approve that article for return to service.

11. Additional Authorization Limitations. Each holder of an authorization issued under this Special Federal Aviation Regulation must comply with any additional limitations prescribed by the Administrator and made a part of the authorization.

12. Data Review and Service Experience. If the Administrator finds that a product or article has been approved for return to service after a major repair has been performed under this Special Federal Aviation Regulation, that the product or article may not conform to the applicable airworthiness requirements or that an unsafe feature or characteristic of the product or article may exist, and that the nonconformance or unsafe feature or characteristic may be attributed to the repair performed, the holder of the authorization, upon notification by the Administrator, shall—

(a) Investigate the matter;

(b) Report to the Administrator the results of the investigation and any action proposed or taken; and

(c) If notified that an unsafe condition exists, provide the information necessary for the issuance of an airworthiness directive under part 39 of the Federal Aviation Regulations within the time period stated by the Administrator.

13. Current Records. Each holder of an authorization issued under this Special Federal Aviation Regulation shall maintain, at its facility, current records containing—

(a) For each product or article for which it has developed and used major repair data, a technical data file that includes all data and amendments thereto (including drawings, photographs, specifications, instructions, and reports) necessary to accomplish the major repair;

(b) A list of products or articles by make, model, manufacturer's serial number (including specific part numbers and serial numbers of components) and, if applicable, FAA Technical Standard Order (TSO) or Parts Manufacturer Approval (PMA) identification, that have been repaired under the authorization; and

(c) A file of information from all available sources on difficulties experienced with products and articles repaired under the authorization.

This Special Federal Aviation Regulation terminates January 23, 1999.

Issued in Washington, DC, on October 13, 1993.

Brenda H. Uttaro,

Acting Director, Aircraft Certification Service.

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