

14 CFR Parts 121, 127, 135, and 145

[Docket No. 17551; SFAR No. 36-2]

Development of Major Repair Data

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment extends the effectivity of Special Federal Aviation Regulation (SFAR) No. 36 which provides that repair stations, air carriers, air taxis, and commercial operators of large aircraft may accomplish major repairs using self-developed repair data which have not been specifically approved by the FAA.

EFFECTIVE DATE: January 23, 1982.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: SFAR 36, which became effective January 23, 1978, was issued to relieve qualifying certificated air carriers, operators, and repair stations of the burden of obtaining FAA approval of data developed by them for major repairs on a case-by-case basis. The certificate holders eligible for authorization under the SFAR are those employing adequately trained personnel and complying with specified procedural requirements.

SFAR 36 was adopted as an interim rulemaking action to obtain information upon which to base a permanent rule change. However, most of the affected certificate holders did not utilize the provisions of SFAR 36 until it was well into its second year and near its expiration date of January 23, 1980. Since the FAA did not have sufficient data upon which to base a permanent rule change, the termination date for SFAR 36 was extended an additional 2 years. The termination date for SFAR 36 is January 23, 1982, and authorizations issued to date under SFAR 36 are effective for a period of 2 years.

The FAA will initiate rulemaking to make the authorization issued under SFAR 36 a permanent part of the Federal Aviation Regulations. The

reasons which justified the adoption of SFAR 36 still exist, and in order to allow time for completion of the permanent rule change, it is in the public interest to extend the termination date of SFAR 36 from January 23, 1982, to January 23, 1984. So that previously authorized certificate holders will not be subjected to the unnecessary burden of requalifying upon expiration of the initial 2-year period, the amendment provides that each authorization issued under this SFAR has an effective period from the date of issuance until January 23, 1984. This rule extension should provide ample time for provisions to be incorporated into a permanent rule change.

Since this amendment continues in effect the provisions of a currently effective SFAR and imposes no additional burden on any person, I find that notice and public procedures hereon are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, effective January 23, 1982, Special Federal Aviation Regulation No. 36 is amended by changing the termination date from "January 23, 1982" to "January 23, 1984", and by revising paragraph 5 to read as follows:

5. *Duration of Authorization.* Each authorization issued under this Special Federal Aviation Regulation is effective from the date of issuance until January 23, 1984, unless it is surrendered or the administrator suspends, revokes, or otherwise terminates it at an earlier date.

* * * * *

(Secs. 313(a), 601, 604 and 607, Federal Aviation Act of 1958 as amended (49 U.S.C. 1354(a), 1421, 1424, and 1427); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Note.—The FAA has determined that this document involves a rule change which is relaxatory in nature and imposes no additional burden on any person. Accordingly, it has been determined that: the rule change does not involve a major change under Executive Order 12291; it is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and its anticipated impact is so minimal that an evaluation is not required.

Issued in Washington, D.C., on November 3, 1981.

J. Lynn Helms,
Administrator.

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