
Friday
August 9, 1985

121-187

Part III

**Department of
Transportation**

Federal Aviation Administration

**14 CFR Part 121
Mechanical Reliability Reports; Final Rule**

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 121**

[Docket No. 24192; Amdt. No. 121-187]

Mechanical Reliability Reports; Change in Requirement**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

SUMMARY: This rule changes the mechanical reliability reporting requirement contained in Part 121 of the Federal Aviation Regulations by allowing certificate holders to mail or deliver mechanical reliability reports to the responsible FAA Flight Standards District Office within 72 hours after the 24-hour reporting period. The current rule requires Part 121 certificate holders to deliver reports to the FAA maintenance inspector assigned to its operation within 24 hours after the 24-hour reporting period. This change allows reports to be mailed or delivered and provides a more realistic compliance requirement. The relief afforded by this amendment is fully consistent with the President's regulatory policies and Executive Order 12291.

EFFECTIVE DATE: September 9, 1985.

FOR FURTHER INFORMATION CONTACT: Fred Crenshaw, Air Transportation Branch (AWS-330), Aircraft Maintenance Division, Office of Airworthiness, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Telephone (202) 426-3440.

SUPPLEMENTARY INFORMATION:**Background**

On July 6, 1984, the Federal Aviation Administration (FAA) issued Notice of Proposed Rulemaking No. 84-13 (49 FR 32306; August 13, 1984). This notice proposed a more realistic and current approach to mechanical reliability reporting by permitting Part 121 certificate holders to mail or deliver mechanical reliability reports (MRR's) to the responsible FAA Flight Standards District Office charged with the inspection of a certificate holder within 72 hours after the close of a reporting period.

Section 121.703(d) of the Federal Aviation Regulation (FAR) places a reporting burden on operators for compliance that is not required for safety. When § 135.415(d) was promulgated, a more realistic and current approach was taken for reporting MRR's by permitting MRR's to

be mailed or delivered to the FAA Flight Standards District Office charged with the overall inspection of a certificate holder within 72 hours after the close of a 24-hour reporting period. Section 121.703(d) was never amended to require similar reporting for Part 121 certificate holders. Experience gained regarding compliance with § 135.415(d) shows that compliance standards have not been lowered, and there has been no degradation of safety. Further, FAA improved methods of analysis and data processing have resulted in improvement in the timeliness of reports being entered into the system. This amendment allows Part 121 certificate holders the same considerations for reporting MRR's now provided to Part 135 certificate holders. This amendment permits Part 121 certificate holders to mail or deliver their MRR's to the responsible FAA Flight Standards District Office within 72 hours after the close of a reporting period. Based on the experience gained with the similar requirement in § 135.415(d), this amendment will result in no degradation of safety and will not lower compliance standards for MRR reporting.

Many FAA maintenance inspectors had received complaints from their assigned certificate holders that it is physically impossible to deliver their MRR's to the assigned maintenance inspectors within 24 hours as required by § 121.703(d) before this amendment. In addition, the Air Transport Association of America, on behalf of its member airlines and other operators, appealed to the FAA to reconsider the 24-hour requirement and allow MRR's to be mailed or delivered so that they can realistically comply with the regulations.

The MRR's are published in the Aviation Standards Service Difficulty Report Summary by the FAA Aviation Standards National Field Office at Oklahoma City. The summary consists of air carrier MRR's and is available to FAA personnel, industry affiliates, and others with a demonstrated need for the service. It was recently changed from a daily to a weekly publication. The amended reporting requirement will not delay publication of reports in the summary.

Public Participation

This amendment is based on Notice 84-13. All interested parties were given an opportunity to participate in the making of this amendment, and due consideration was given to all matters presented. This amendment and the reasons for its adoption are the same as those stated in Notice 84-13. Two comments were received in response to this Notice, one from the Air Transport

Association of America and another from the Regional Airline Association. Both commenters support the notice. Therefore, the amendment to § 121.703 is adopted as proposed.

Economic Evaluation

There is a minor economic benefit associated with this amendment since an operator reporting requirement is relaxed. The saving for any one firm is minimal since a small amount is saved for each report required, and the reports are made only infrequently. There is no cost associated with the proposal as the essential integrity of the reporting system is retained, and there are no other direct or indirect costs which are apparent.

Trade Impact

The FAA can foresee no impact on U.S. or foreign trade if this proposal is adopted since it would merely grant relief from a reporting burden.

Paperwork Reduction Act

Information collection requirements in this regulation (§ 121.703(d)) have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB Control Number 2120-0008.

Conclusion

This amendment will reduce the burden of a reporting requirement by providing Part 121 certificate holders with a regulation that will permit them to mail or deliver MRR's to the responsible FAA Flight Standards District Office within 72 hours after the 24-hour reporting period. It changes the current rule which requires them to deliver reports to the FAA maintenance inspector assigned to its operations 24 hours after the 24-hour reporting period. Updating this requirement will provide certificate holders with sufficient time to submit their report to be in compliance with the regulations. In addition, this amendment will not lower compliance standards or degrade safety. It will allow Part 121 certificate holders the same considerations as Part 135 certificate holders for MRR reporting. Accordingly, the Federal Aviation Administration has determined that this amendment is not a major rule under Executive Order 12291 or a significant regulation under the Department of Transportation Regulatory Policies and Procedures (44 FR 11023; February 26, 1979). The expected impact of this regulatory action is minimal, involves no cost, will have a positive economic impact by eliminating the costs

associated with an unrealistic reporting time, and does not warrant preparation of a regulation evaluation. In addition, for the reasons discussed under the criteria of the Regulatory Flexibility Act, I certify that this amendment will not result in a significant economic impact on a substantial number of small entities.

List of Subjects in 14 CFR Part 121

Aviation safety, Safety, Air carriers, Air transportation, Aircraft, Airplanes, Airworthiness directives and standards, Transportation, Common carriers.

Adoption of the Amendment

Accordingly, § 121.703 of the Federal Aviation Regulations (14 CFR 121.703) is amended as follows, effective September 9, 1985:

PART 121—CERTIFICATION OPERATIONS: DOMESTICS, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

1. The authority citation for Part 121 is revised to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1356, 1357, 1401, 1421-1430, 1472, 1485, and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97-499, January 12, 1983).

2. By amending § 121.703 by revising paragraph (d) as follows:

§ 121.703 Mechanical reliability reports.

* * * * *

(d) Each certificate holder shall send each report required by this section, in writing, covering each 24-hour period beginning at 0900 local time of each day

and ending at 0900 local time on the next day, to the FAA Flight Standards District Office charged with the overall inspection of the certificate holder. Each report of occurrences during a 24-hour period must be mailed or delivered to that office within the next 72 hours. However, a report that is due on Saturday or Sunday may be mailed or delivered on the following Monday, and one that is due on a holiday may be mailed or delivered on the next work day.

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Issued in Washington, D.C., on August 2, 1985.

Donald D. Engen,

Administrator.

[FR Doc. 85-18871 Filed 8-8-85; 8:45 am]

BILLING CODE 4910-13-M