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Jonathan D. Mattiello,
Executive Director.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Aviation Rulemaking Advisory Committee (ARAC) meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the ARAC.

DATES: The meeting will be held on June 20, 2013, starting at 1:00 p.m. Eastern Standard Time. Arrange oral presentations by June 13, 2013.

ADDRESSES: The meeting will take place at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, 8th floor, Conference Room 8 A/B/C.

FOR FURTHER INFORMATION CONTACT: Renee Butner, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-5093; fax (202) 267-5075; email Renee.Butner@faa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the ARAC taking place on June 20, 2012, at the Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591. The Agenda includes:

1. Status Reports From Active Working Groups
 - a. Airman Testing Standards and Training Working Group (ARAC)
 - b. Flight Controls Harmonization Working Group (Transport Airplane and Engine Subcommittee [TAE])
 - c. Airworthiness Assurance Working Group (TAE)
 - d. Flight Test Harmonization Working Group (TAE)
2. New Tasks
 - a. AC 120-17A Maintenance Control by Reliability Methods
3. Status Report from the FAA
 - a. Rulemaking Prioritization Working Group (RPWG)

Attendance is open to the interested public but limited to the space available. Please confirm your

attendance with the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than June 13, 2013. Please provide the following information: full legal name, country of citizenship, and name of your industry association, or applicable affiliation. If you are attending as a public citizen please indicate so.

For persons participating by telephone, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section by email or phone for the teleconference call-in number and passcode. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by June 13, 2013 to present oral statements at the meeting. The public may present written statements to the Aviation Rulemaking Advisory Committee by providing 25 copies to the Designated Federal Officer, or by bringing the copies to the meeting.

If you are in need of assistance or require a reasonable accommodation for this meeting, please contact the person listed under the heading **FOR FURTHER INFORMATION CONTACT**. Sign and oral interpretation, as well as a listening device, can be made available if requested 10 calendar days before the meeting.

Issued in Washington, DC, on May 31, 2013.

Lirio Liu,

Designated Federal Officer, Aviation Rulemaking Advisory Committee.

[FR Doc. 2013-13335 Filed 6-5-13; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2013-23]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before June 26, 2013.

ADDRESSES: You may send comments identified by Docket Number FAA-2013-0189 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Theresa White, ANM-113, Standardization Branch, Transport Airplane Directorate, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057; email: theresa.j.white@faa.gov; (425) 227-2956; Andrea Copeland, ARM-208, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; email: andrea.copeland@faa.gov; (202) 267-3664.

This notice is published pursuant to 14 CFR 11.85.

AVIATION RULEMAKING ADVISORY COMMITTEE

RECORD OF MEETING

MEETING DATE: June 20, 2013

MEETING TIME: 1 p.m.

LOCATION: Federal Aviation Administration
800 Independence Avenue SW.
8th Floor
Room 8ABC
Washington, DC 20591

PUBLIC ANNOUNCEMENT: The Federal Aviation Administration (FAA) told the public of this Aviation Rulemaking Advisory Committee (ARAC) meeting in a Federal Register notice published June 6, 2013 (78 FR 34139).

ATTENDEES: **Committee Members**

Dan Elwell	Airlines for America (A4A), <i>ARAC Chair</i>
Michael Doellefeld	Boeing Commercial Airplanes, <i>ARAC Vice Chair</i>
Chris Baum	Air Line Pilots Association, International (ALPA)
Stacey Bechdolt	Regional Airline Association (RAA)
Michelle Betcher	Airline Dispatchers Federation (ADF)
Mark Bury	Federal Aviation Administration (FAA) <i>Office of the Chief Counsel, AGC-200</i>
Craig Bolt*	Pratt & Whitney <i>Transport Airplane and Engine Subcommittee (TAE), Chair</i>
Dr. Tim Brady	Embry-Riddle Aeronautical University (ERAU)
Doug Carr	National Business Aviation Association (NBAA)

Brenda Courtney	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-1</i> <i>Designated Federal Officer (DFO)</i>
Walter Desrosier	General Aviation Manufacturers Association (GAMA)
Marie-Anne Dromaguet*	Transport Canada Civil Aviation (TCCA)
Gail Dunham	National Air Disaster Alliance/Foundation (NADA/F)
Sean Elliot	Experimental Aviation Association (EAA)
Rolf Greiner*	AeroSpace and Defence Industries Association of Europe (ASD)
Sarah MacLeod	Aeronautical Repair Station Association (ARSA)
George Novak	Aerospace Industries Association (AIA)
Chris Oswald	Airports Council International, N.A. (ACI, N.A.)
George Paul	National Air Carrier Association (NACA)
Ric Peri	Aircraft Electronics Association (AEA)
Bob Robeson	Federal Aviation Administration (FAA) <i>Office of Aviation Policy and Plans,</i> <i>APO-300</i>
Melissa Rudinger	Aircraft Owners and Pilots Association (AOPA)
Harold Summers	Helicopter Association International (HAI)
Chris Witkowski	Association of Flight Attendants Communications Workers of America (AFA-CWA)

Attendees

Ryan Aggergaard*	Modification and Replacement Parts Association (MARPA)/Aviation Suppliers Association (ASA)
Renee Butner	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-20</i>
Thuy Cooper	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-100</i>
Damon Cox	Airline Dispatchers Federation (ADF)
Jim DePillo	Federal Aviation Administration (FAA) <i>Office of Quality, Integration and Executive Services, AQS-100</i>
Bob Frenzel	Federal Aviation Administration (FAA) <i>Office of the General Counsel, AGC-220</i>
Tom Groves*	Federal Aviation Administration (FAA) <i>Northwest Mountain Region-Transport Airplane Directorate, ANM-111</i>
Katie Haley	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-200</i>
Tim Harwick	Boeing Commercial Airplanes
Bob Ireland	Airlines for America (A4A)
Jeremy Leonard	National Business Aviation Association (NBAA)
Ron Little	Delta Air Lines
Melissa Loughlin	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-200</i>
Julie Lynch	Federal Aviation Administration (FAA) <i>Office of Rulemaking, ARM-20</i>
Mark Millam	Airlines for America (A4A)
Neil Modzelewski	PAI Consulting
David Oord*	Aircraft Owners and Pilots Association (AOPA)

Paul Pitts	Federal Aviation Administration (FAA) <i>Flight Standards Service, AFS-330</i>
Mary Schooley*	Federal Aviation Administration (FAA) <i>Northwest Mountain Region-Transport Airplane Directorate, ANM-111</i>
Emily Tranter	National Organization to Insure a Sound Controlled Environment (NOISE)
Joe White	Airlines for America (A4A)
James Wilborn*	Federal Aviation Administration (FAA) <i>Northwest Mountain Region-Transport Airplane Directorate, ANM-117</i>

*Attended via teleconference.

WELCOME AND INTRODUCTION

Mr. Dan Elwell, ARAC Chair, called the meeting to order at 1:07 p.m. and thanked the ARAC members and the public for attending. Mr. Elwell invited the attendees to introduce themselves. He then asked Ms. Brenda Courtney, DFO, to read the required Federal Advisory Committee Act, Title 5, United States Code Appendix 2 (2007) statement.

Future Meeting Dates

Mr. Elwell stated the next two ARAC meetings are tentatively scheduled for Thursday, September 19, 2013, and Thursday, December 19, 2013. He asked the ARAC members to communicate any conflicts with those dates.

Feedback

Ms. Courtney stated the Office of Rulemaking (ARM) received nine feedback forms following the March 2013 ARAC meeting, and added the feedback was positive. She stated it indicated the ARAC process and meeting support are sufficient, and access to documents on the ARAC website is not difficult. Ms. Courtney noted one submitted feedback form stated the new tasking template should help to standardize future work assignments and minimize misinterpretation. Ms. Courtney encouraged ARAC members to continue submitting feedback.

Ratification of Minutes

Mr. Elwell stated the first item on the agenda is to ratify the minutes from the March 5, 2013, meeting. He solicited any revisions or amendments to the draft minutes circulated before the meeting. With no revisions, the ARAC ratified the minutes.

STATUS REPORTS FROM ACTIVE WORKING GROUPS

Airman Testing Standards and Training Working Group (ATSTWG) (ARAC)

Mr. Elwell invited Mr. David Oord, ATSTWG Co-Chair, to update the ARAC on the ATSTWG's status. Mr. Oord stated the ATSTWG is making good progress and has completed draft airman certification standards (ACS) for the private pilot certificate and instrument rating. He explained the ACS combines elements from the existing practical test standards (PTS), the areas of knowledge prescribed under current regulations, safety risk management (SRM) principles, and other knowledge and skills required to operate aircraft safely.

Mr. Oord stated the FAA published notice of the draft ACS in the Federal Register. He noted that in addition to the ACS, the Federal Register publication included background information on the industry led change in the certification standards. Mr. Oord stated the Federal Register notice also included tracking matrices indicating the ACS treatment of areas of operation in the existing PTS.

Mr. Oord stated the original comment period closed May 24, 2013, and was reopened on June 7, 2013 and extended to July 8, 2013, to permit communication of the proposed changes to a wider audience for comment. He explained the FAA received over 300 comments. Mr. Oord added they were a mix of positive and negative and some commenters questioned the need to change the pilot certification standards. He added some commenters suggested the draft ACS would expand existing knowledge and skill requirements, to which Mr. Oord stated they would not. He also noted some commenters viewed the ACS as being the result of FAA activity, without sufficient industry involvement. Mr. Oord explained part of the reason for reopening the comment period was to counter these misconceptions and allow individuals more time to comment. He stated the ATSTWG's continuing plans for communication include presentations at EAA AirVenture Oshkosh and the AOPA Summit. Mr. Oord also described press coverage of the ATSTWG's work.

Mr. Oord stated next steps for the ATSTWG include reviewing and disposing of the comments submitted to the docket. He explained the final report will include a question-and-answer section addressing the reasons for the proposed changes to certification requirements.

Mr. Oord stated the final ACS will include report codes, which will provide specific information regarding the topics on which certificate applicants do not demonstrate satisfactory knowledge. He explained this will facilitate feedback to individual applicants and foster a better understanding by the FAA and industry of what training areas need greater emphasis.

Mr. Oord stated the ATSTWG also intends to publish the draft flight instructor certificate ACS in the Federal Register for comment. He explained the ATSTWG will then review and dispose of comments, and prepare a final report to the ARAC. Mr. Oord noted the ATSTWG expects to complete the final report before the ARAC's September 2013 meeting. He stated the report will contain the private pilot, instrument rating, and flight instructor certificate ACS; a detailed proposal to realign and, as appropriate, streamline and consolidate existing FAA guidance; a process to review and revise guidance materials; sample knowledge test questions; and a test map prescribing the number and difficulty distribution of questions relating to each knowledge area to be tested. Mr. Oord stated the ATSTWG will recommend outside experts

review and select proposed knowledge test questions under a boarding process that safeguards the integrity of the testing process.

Mr. Oord solicited questions regarding the ATSTWG's work. Mr. Sean Elliot asked Mr. Oord to describe how the ATSTWG addressed training and testing elements requiring operation by reference to a magnetic compass. Mr. Elliot stated such requirements in the current PTS were problematic because it is increasingly common for light sport aircraft to be equipped with a magnetic direction indicator but not a magnetic compass. Mr. Oord explained a recent change to the existing PTS addressed the issue, and the draft ACS reflects the current PTS.

Transport Airplane and Engine Subcommittee (TAE)

Mr. Elwell asked Mr. Craig Bolt to brief the ARAC on the status of the TAE. Mr. Bolt stated the TAE last met in early May 2013. He proceeded to brief the ARAC on the status of each working group under the TAE (Attachment 1).

Engine Harmonization Working Group (EHWG) (TAE)

Mr. Bolt noted the ARAC recently accepted a task related to engine bird ingestion. He stated the EHWG was formed to carry out that task, and its initial meeting took place June 18-19, 2013. Mr. Bolt explained the initial meeting's objective was to define a work plan for the task and establish a schedule for future meetings and teleconferences. He stated the EHWG submitted a work plan for TAE review and acceptance.

Mr. Bolt presented the EHWG membership roster, and noted it comprehensively represents various stakeholder groups, including engine and airframe manufacturers as well as associations. Mr. Bolt reviewed the specific tasks before the EHWG, as published in the Federal Register. He stated the group must complete its work no later than March 31, 2015.

Dr. Tim Brady asked if the EHWG had examined or would be examining differences in damage severity between bird strikes on aircraft constructed from composite materials and those on aircraft constructed from conventional materials. Mr. Bolt stated the EHWG had not discussed such differences. He explained the tasking is limited to ingestion of birds into engines, so the context of such a discussion would concern composite engine parts, not composite airframe parts.

Mr. Chris Witkowski asked for clarification on how the EHWG would approach the fourth tasking element: "Define an industry process for periodic update and review of engine bird ingestion data to maintain awareness of the threat in service." Mr. Bolt stated that in the past, the industry and the FAA made efforts to collect and analyze bird strike data at irregular intervals. He explained the process contemplated by the fourth tasking element would provide for more regular, systematic study. Mr. Bolt stated the process also would examine the effectiveness of changing engine technology and design requirements, as well as the benefits of implementation. He added the data would help determine what, if any, further action is necessary.

Mr. George Paul noted the Commercial Aviation Safety Team (CAST) actively monitors and maintains a database of bird strike events, categorized by impact on flight safety. He suggested the EHWG reach out to CAST to avoid duplication of efforts in gathering bird ingestion data. Ms. Sarah MacLeod suggested the EHWG brief CAST on its findings to date and what data CAST should track. Mr. George Novak, a CAST member, took an action item to notify CAST of the EHWG's efforts, and coordinate communications between the EHWG and CAST. Mr. Ric Peri clarified that the ARAC need not review the substance of the EHWG's briefing to CAST. Mr. Elwell recognized Mr. Mark Millam and invited him to address the ARAC. Mr. Millam stated the Aviation Safety Information Analysis and Sharing (ASIAS) program actually carries out CAST monitoring of bird strike events, and suggested the EHWG contact the ASIAS Executive Board directly.

Flight Test Harmonization Working Group (FTHWG) (TAE)

Mr. Bolt reviewed the FTHWG's task definition, which is related to transport airplane performance and handling characteristics. He noted it prescribes certain topics for the FTHWG to consider, but also allows the working group to recommend additional topics not provided in the task definition.

Mr. Bolt stated the first meeting of the FTHWG took place May 22-24, 2013. He noted the FTHWG submitted a work plan to the TAE which it TAE is now reviewing. He noted the FTHWG must complete its tasking by December 8, 2013. Mr. Bolt stated if the FTHWG did not have a recommendation ready for the September 2013 ARAC meeting, the FTHWG would submit a final report for ARAC approval at the December 2013 meeting.

Mr. Michael Doellefeld asked if the FTHWG's membership is appropriate for the scope of the tasking. Mr. Bolt stated the FTHWG co-chairs believe it is.

Flight Controls Harmonization Working Group (FCHWG) (TAE)

Mr. Bolt stated the current task before the FCHWG relates to rudder reversal and sensitivity issues. He explained the tasking calls for the FCHWG to consider whether rulemaking or other measures are necessary to address rudder pedal sensitivity and rudder reversals in both new and existing aircraft. Mr. Bolt stated the FCHWG will examine loads, maneuverability, system design, control sensitivity, and warning. Mr. Bolt noted the National Transportation Safety Board (NTSB) recommendation following the American Airlines Flight 587 accident on November 12, 2001 drove this tasking. He added there are other rudder reversal events cited in the tasking.

Mr. Bolt reviewed the FCHWG's meeting schedule, noting the FCHWG intends to complete its work at a meeting in September 2013. He noted the FCHWG will submit its recommendation report at the December 2013 ARAC meeting.

Mr. Bolt stated the FCHWG has not yet solidified a position, but it most likely will not recommend rulemaking regarding Phase 1 of its tasking, which relates to new aircraft. He noted the FAA proposed revising Title 14, Code of Federal Regulations (14 CFR) § 25.351 at the March 2013 FCHWG meeting. Mr. Bolt stated the FCHWG Loads Task Group will review this issue and submit a report at the FCHWG's June 24-28, 2013 meeting.

Mr. Bolt stated with respect to existing aircraft, the FCHWG believes airworthiness directives (ADs), rather than rulemaking, are the appropriate means to drive any aircraft retrofit requirements, as retrofits will likely be type-specific in detail and application. Mr. Bolt reviewed the factors that determine whether retrofit is necessary. He noted this will be a primary discussion topic at the FCHWG's June 2013 meeting.

Airworthiness Assurance Working Group (AAWG) (TAE)

Mr. Bolt noted the AAWG has existed for several years. Member participation continues to be robust, with 35 attendees at the AAWG's April 22-23, 2013 meeting. Mr. Bolt reviewed the organizational makeup of the AAWG membership and highlighted its diversity.

Mr. Bolt stated the AAWG's primary activity has been to facilitate implementation of aging aircraft rules and to provide advice to structural task groups (STG). He noted the AAWG is forming a task group to review and update the STG Guidelines Document for several areas, including widespread fatigue damage, repair assessments, and corrosion prevention and control.

Mr. Bolt stated that at the April 2013 AAWG meeting, the FAA initiated discussion of potential revisions to 14 CFR § 25.571. He noted the discussion arose from a 2003 General Structures Harmonization Working Group recommendation that called for establishing a limit of validity for damage tolerance evaluations (which the FAA has incorporated into the rule), establishing inspection thresholds, and demonstrating large structural damage capability. Mr. Bolt stated the FAA questioned whether the AAWG should revisit the unfulfilled recommendations and whether a re-tasking is necessary.

Mr. Bolt stated the AAWG also discussed an April 23, 2013 European Aviation Safety Agency (EASA) Notice of Proposed Amendment (NPA) issued on damage tolerance requirements. He explained that after initial concern over possible divergence between EASA and FAA requirements, it appears the NPA differences may not be significant, and harmonization is possible.

Mr. Bolt noted the AAWG's current tasking ends in 2016, and the AAWG membership has discussed what additional activities might justify a further tasking. He stated the AAWG will discuss the possibility of a further tasking with the TAE and the FAA.

PROPOSED TASKING—MAINTENANCE CONTROL BY RELIABILITY METHODS

Mr. Elwell invited Mr. Paul Pitts to address the ARAC. Mr. Pitts stated the FAA Air Carrier Maintenance Branch (AFS-330) requests the ARAC accept a task to provide recommendations on revisions to Advisory Circular (AC) 120-17A, Maintenance Control by Reliability Methods. Mr. Pitts explained that air carrier reliability programs give air carriers the ability to adjust maintenance task intervals and time limitations without prior FAA review; consequently, correct program design and implementation are critical to flight safety.

Mr. Pitts stated revision of AC 120-17A, which was published in 1978, is necessary because it contains outdated information and lacks relevant content such as provisions related to Extended Operations (ETOPS). He noted NTSB Safety Recommendation A-09-110 specifically calls for revision of AC 120-17A.

Mr. Pitts stated AFS-330 is seeking the ARAC's involvement to obtain input from operators with existing reliability programs. He explained AFS-330 hopes to gather information on interval determination methods and techniques, as well as data collection and analysis practices. He noted safeguards must be included in the revision.

Ms. MacLeod noted NTSB Recommendation A-09-110 calls for reconciling differences between AC 120-17A and AC 120-16E. She noted the draft tasking does not mention AC 120-16E. Mr. Pitts acknowledged conflicts exist between the two ACs, but stated AC 120-17A contains significantly outdated information. He noted the Airline/Manufacturer Maintenance Program Planning Document (MSG-2) appended to AC 120-17A is no longer used in developing maintenance programs. Mr. Elwell requested the draft tasking be revised to call for review of both ACs referenced by Recommendation A-09-110 under item 1 of "The Task" section.

Ms. MacLeod stated AC 120-17A and AC 120-16E may not be the only relevant guidance. She suggested the working group reviewing the ACs also examine internal and external guidance materials, such as the Flight Standards Information Management System. Mr. Pitts noted other guidance sources would also require revision in conjunction with revisions to the two ACs.

Mr. Elwell explained AC 120-17A provides for predictive maintenance, which represented a safety enhancement on condition maintenance at the time of its publication. He noted many aircraft systems now have health monitoring and reporting capabilities, and asked whether the draft tasking should request the working group consider these capabilities. Mr. Pitts stated such capabilities fall within the area of data collection methods specified in the draft tasking. He added the NTSB issued Recommendation A-09-110 in response to an accident involving an aircraft that was not maintained according to a reliability program.

Ms. MacLeod noted health-monitoring capabilities are not limited to MSG-3. MSG-2 aircraft can add Health and Usage Monitoring Systems. She stated these and other capabilities developed since the publication of AC 120-17A, such as the Aircraft Communications Addressing and Reporting System, should be examined as part of a review of the ACs.

Mr. Pitts stated he does not have information on the data collection practices actually used by air carriers because maintenance reliability programs are proprietary, and air carriers are not willing to share them publicly. He noted this is partly why AFS-330 is seeking the ARAC's involvement.

Numerous ARAC members discussed at length whether the benefits of ARAC involvement would justify the expenditure of resources required. Ms. MacLeod noted maintenance reliability programs implicate significant safety issues. ARAC members also expressed concern that if the ARAC accepted this tasking, it would be setting a precedent for the ARAC to review and revise all contradictory materials. Mr. Pitts noted the working group would focus on updating the maintenance reliability program rather than the contradictory information in the ACs. Mr. Ric Peri raised the question of whether an AC is necessary in light of other available guidance. The ARAC suggested revising the tasks set forth in the draft tasking as follows:

- 1) Review NTSB Recommendation A-09-110, AC 120-17A, AC 120-16E, and other internal and external guidance material used in the development of maintenance reliability programs by air carriers.
- 2) Develop and submit recommendations to FAA regarding the need for revising AC 120-17A or other guidance materials.
- 3) If the ARAC deems revisions to AC 120-17A or other guidance materials appropriate, develop and submit material based on modern reliability concepts to address such areas as—
 - a. Duties and responsibilities,
 - b. Data collection sources,
 - c. Data analysis methods,
 - d. Data reporting,
 - e. Maintenance interval adjustment,
 - f. Program revision, and
 - g. ETOPS. Extended long-range operations depend on a maintenance program that monitors the reliability of all significant airplane systems.

Ms. MacLeod volunteered to revise the draft tasking to reflect the ARAC's discussion and circulate by email. The ARAC accepted and approved the tasking, pending acceptance of Ms. MacLeod's revisions.

STATUS REPORT FROM THE FAA

Rulemaking Prioritization Working Group (RPWG)

Ms. Courtney updated the ARAC on the status of the FAA's review and implementation of the ARAC RPWG's rulemaking prioritization recommendations (Attachment 2). She noted the Future of Aviation Advisory Committee (FAAC) recommended the FAA develop a tool to prioritize rulemaking projects. Ms. Courtney stated the FAA tasked the ARAC with formation of the RPWG to seek industry input on the FAAC recommendation.

Ms. Courtney stated the FAA team tasked with addressing the RPWG's recommendations (the Implementation Team) obtained input from offices and services with rulemaking responsibility, internal Safety Management System (SMS) specialists, the FAA policy office, and others with experience developing prioritization models. She explained the Implementation Team's work resulted in the Pre-Rulemaking Evaluation Prioritization (PREP) Worksheet (Attachment 3) and the FAA List of Potential Rulemakings (previously titled the 4-Year Look-Ahead). Ms. Courtney noted these results remain works in progress.

Ms. Courtney reviewed the ARAC's seven primary recommendations to the FAA, and the FAA's corresponding actions, as follows:

- 1) *ARAC Recommendation*
Ensure the safety attribute matrix and instructions are part of the FAA's SMS policies

and procedures and develop criteria and instructions that tie the Rulemaking Assessment Matrix (RAM) scoring methodology to the SMS policies and procedures.

FAA Action

Ms. Courtney stated the FAA has incorporated questions that align with FAA Order 8040.4A, Safety Risk Management, into the PREP Worksheet to ensure the rulemaking teams consider SRM when developing rulemaking responses to issues.

2) *ARAC Recommendation*

Determine if the Commercial Space Transportation Advisory Committee (COMSTAC) should be involved in the Rulemaking Prioritization Evaluation Tools (R-PETs) process and adjust the Rulemaking Evaluation Process accordingly.

FAA Action

Ms. Courtney explained the FAA does not believe the COMSTAC should be involved in the process because its charter does not allow for the COMSTAC to review rulemaking activities. She stated the FAA will extract rulemaking projects related to commercial space and air traffic from the List of Potential Rulemakings it submits to the ARAC for comment. Ms. Courtney noted offices with responsibility for such rulemakings will nevertheless use the PREP Worksheet to evaluate potential projects.

3) *ARAC Recommendation*

Conduct an internal test of the R-PETs using several proposed projects from the 4-Year Look-Ahead document.

FAA Action

Ms. Courtney noted the FAA has performed a number of tests using the PREP Worksheet to evaluate current rulemaking projects. She stated the FAA used the tool to evaluate both rulemaking projects in progress and issues that have not yet reached the rulemaking stage.

Ms. MacLeod asked if the results of the evaluation tests tended to support rulemaking decisions already made, and asked whether such tests were fully objective. Mr. Elwell explained the intention was to validate the PREP Worksheet by applying it to a project the FAA already vetted under existing processes for comparison purposes. For rulemaking in progress, Ms. Courtney stated the Rulemaking Management Council will consider the evaluations. Ms. Courtney also noted the PREP Worksheet results do not take into account drivers for rulemaking.

4) *ARAC Recommendation*

Provide one example of a completed R-PET for each rulemaking Office of Primary Responsibility (OPR).

FAA Action

Ms. Courtney stated the objective of this recommendation was to provide guidance to OPRs relating to future use of rulemaking evaluation tools. She noted the FAA is developing guidance to accompany the PREP Worksheet.

5) *ARAC Recommendation*

Develop training for subject matter experts (SME) and managers.

FAA Action

Ms. Courtney stated the FAA has held a number of question-and-answer sessions with SMEs and managers, and has walked through the PREP Worksheet questions to establish expectations and obtain feedback.

6) *ARAC Recommendation*

Automate the R-PETs.

FAA Action

Ms. Courtney stated the FAA is using Microsoft Excel as a short-term solution, but is developing requirements for integrating the rulemaking evaluation tools into existing tracking systems.

7) *ARAC Recommendation*

Adopt the R-PETs into the FAA rulemaking process.

FAA Action

Ms. Courtney stated the FAA is working toward adopting the R-PETs and will update its quality management system documents once it decides on an approach.

Ms. Courtney reviewed the weightings the Implementation Team assigned to various rulemaking evaluation attributes in the PREP Worksheet and compared them to the weightings the ARAC recommended. She noted the Implementation Team gave safety attributes the most weight. Ms. Courtney explained the team believed safety attributes should be weighted more heavily than recommended by the ARAC because safety is the FAA's primary mission. She stated the Implementation Team weighted economic attributes slightly less than recommended based on input from the policy office. Ms. Thuy Cooper added the Implementation Team also took into account the results from the pre-beta test when modifying the weights. Ms. MacLeod noted the areas that the FAA increased tend to have data that is more concrete. Ms. Courtney explained the team increased technology weighting because of the importance of developing the Next Generation Air Transportation System.

Ms. Gail Dunham noted the prioritization evaluation will add steps to an already long process. Ms. Courtney stated the prioritization tools will facilitate analysis earlier in the process, which will inform whether rulemaking is appropriate.

Mr. Chris Oswald noted the questions in the PREP Worksheet establish that a given attribute, such as safety, is a factor with respect to a potential rulemaking, but do not establish the degree to which it is a factor. He stated such information is important in making decisions. Mr. Elwell noted the PREP Worksheet is a preliminary step in the process to separate initiatives that are not worth pursuing.

Ms. Courtney reviewed the ARAC recommendations about the rulemaking evaluation process flow, as well as the FAA responses and actions. She explained the process outlines the steps an issue goes through before the FAA decides to proceed with a rulemaking.

Ms. Courtney stated the FAA merged the questions contained in the preliminary stage (part A of the Rulemaking Assessment Questionnaire (RAQ)) in the ARAC's recommendations with those in the OPR stage (RAQ part B and the RAM) to form the PREP Worksheet. She explained an SME will answer the questions and the program office or director will review the answers. Ms. Courtney stated the OPRs will submit completed and reviewed PREP Worksheets to ARM for computation.

Ms. Courtney stated ARM will consolidate the results of PREP Worksheets into the FAA List of Potential Rulemakings. She explained ARM will provide the list to directors with rulemaking responsibilities to determine whether external drivers would change the priority of the potential rulemakings.

Ms. Courtney stated that after OPR review, ARM will again consolidate the list of potential rulemakings and present it to the Rulemaking Management Council for review and validation of assigned prioritizations. She explained ARM will send the list to the ARAC for review and comment. Ms. Courtney stated the list and ARAC comments will be returned to the Rulemaking Management Council for consideration before proceeding to the Strategy, Budget, and Planning (SB&P) Committee for review and approval.

Ms. Courtney stated once the SB&P Committee has confirmed a potential rulemaking, the Rulemaking Management Council will decide to form a team to review the evaluation questions. The team would then present its findings to the Rulemaking Management Council for a decision on whether to proceed with rulemaking.

Mr. Novak noted some questions, such as question 15 on the PREP Worksheet, inherently require analysis, but the PREP Worksheet does not provide space for the SMEs to provide detail or background information. He explained the process relies heavily on the determination of SMEs answering summary questions on a broad array of issues and subjects. Ms. MacLeod stated the PREP Worksheet does not contain the level of detail recommended by the RPWG. She stated some questions, such as question 2, require SMEs to classify potential rulemakings without defining the classifications listed. Ms. Courtney noted the PREP Worksheet is subject to revision.

Ms. MacLeod stated some of the purported drivers listed in question 1, such as Service Difficulty Reports, advisory materials, issue papers, special conditions, exemptions, and petitions for rulemaking, are actually justifications, and should be listed separately. Other ARAC members questioned whether repetitive special conditions constitute drivers, rather than justifications. Ms. MacLeod suggested ARM rework the question so it more clearly defines intent. Mr. Peri noted some of the items listed in question 1 comprise incomplete categories; for example, the question lists some, but not all, legislative drivers, and includes EASA harmonization, but not harmonization with other civil aviation authorities. The incomplete list implies priority within the category.

Mr. Novak and Ms. MacLeod recommended ARM revise the PREP Worksheet to permit SMEs to provide detail or background information supporting their determinations. Ms. Courtney stated the FAA intends to have a team, rather than a single SME, gather information and perform a review at a later stage in the process. She added she believes this meets the intent of the

RPWG's recommendations. Mr. Bob Frenzel explained the purpose of having a single SME complete the PREP Worksheet is to allow for an initial scrub of potential projects, before expending the resources for a detailed review by a full team of analysts. Mr. Oswald expressed some concern that the ARAC's review would be limited to a review of the summary analysis performed by a SME, rather than an in-depth review.

Mr. Peri commended the FAA's response to the RPWG's SMS recommendation. He noted, however, that the PREP Worksheet lacked an analysis of non-rulemaking alternative courses of action. Ms. Courtney stated such an analysis is an inherent part of every rulemaking, but the materials presented do not address it. Mr. Peri expressed interest in seeing such analysis presented to the Rulemaking Management Council for review.

Ms. Courtney described the pre-beta PREP exercise the Implementation Team carried out. She stated factors affecting the exercise included sequestration and staffing issues, a particularly large number of rulemaking actions proposed for the May 2013 Rulemaking Management Council meeting, the need to further test the PREP Worksheet, and the need to prepare the FAA List of Potential Rulemakings.

Ms. Courtney explained the Implementation Team conducted a test of the PREP Worksheet on 29 actions either already in the rulemaking pipeline or progressing towards approval. She noted the team included all actions on hold as a result of the FAA Modernization and Reform Act of 2012, Public Law 112-95 in the test.

Ms. Courtney stated the Implementation Team coordinated completion of the PREP Worksheet and conducted question-and-answer sessions regarding each of the 29 actions selected for the pre-beta test. She noted the test helped the Implementation Team refine and clarify the questions in the PREP Worksheet, and offered insight into the development of the FAA List of Potential Rulemakings.

Ms. Courtney explained the Rulemaking Management Council will use the results of the pre-beta test at its July 2013 Rulemaking Management Council meeting to manage a large workload of potential rulemakings, many of which lack the urgency or adequate resources to proceed at this time.

Ms. Courtney stated the FAA List of Potential Rulemakings is separate from the review of the current rulemaking activities. She noted the list was formerly called the 4-Year Look-Ahead.

Ms. Courtney reviewed the timeline for developing the FAA List of Potential Rulemakings. She stated during June and July 2013, ARM will call upon program offices to identify projects they wish to pursue in fiscal year 2014 (FY14) and issues they would like to pursue in future years. Ms. Courtney explained the program offices will complete the PREP Worksheet regarding the FY14 projects as a beta test of the process for further refinement. She stated in August 2013, ARM will calculate scores for the submitted PREP Worksheets and distribute the results to the OPRs for review and changes.

Ms. Courtney explained that in September 2013, ARM will forward the FAA List of Potential Rulemakings to the Rulemaking Management Council, the ARAC, and to the Rulemaking Management Council again for review and finalization. She stated the list will proceed to the

SB&P Committee for approval and distribution. Mr. Elwell observed the timeline for the beta test of the process is aggressive.

Ms. Courtney reviewed next steps for the Implementation Team. She stated the team is further refining the PREP Worksheet based on ongoing question-and-answer sessions with SMEs and managers. Ms. Courtney again reviewed the schedule for development, refinement, and distribution of the FAA List of Potential Rulemakings. Mr. Rolf Greiner asked whether the approved FAA List of Potential Rulemakings will be made public or remain an internal document. Ms. Courtney stated the list will be internal only.

Ms. MacLeod asked if ARM will review prepared PREP Worksheets to ensure they are completed correctly or to identify duplication of efforts between different OPRs. Ms. Courtney stated ARM will review the completed worksheets, but OPR management should also review them for correctness before submission to ARM.

Ms. MacLeod asked if and how the ARAC members could recommend changes to the PREP Worksheet questions, and noted question 14 requires some clarification or revision since, except for airport fees, FAA fees are sent to the general fund, not the FAA. Mr. Elwell suggested members submit revisions by email. He stated he agrees with the suggestion that space for comments should follow “yes/no” or fixed-choice questions on the PREP Worksheet. Mr. Peri suggested completion of such an entry should be mandatory. He also recommended adding a note indicating items in the PREP Worksheet are not listed in priority order.

Ms. Courtney requested the ARAC members submit revisions no later than Wednesday, June 26, 2013. Mr. Oswald asked if ARM would entertain questions on how it will translate worksheet responses into a score. Ms. Courtney asked the ARAC members to submit any questions along with their revisions.

OFF-AGENDA REMARKS FROM ARAC MEMBERS

Impact of Sequester

Ms. Dunham asked if the FAA could comment on the impact of budget cuts related to legislatively imposed budget sequestration. Mr. Elwell noted that FY13 sequestration cuts were compressed between April and September. FY14 sequestration will begin on October 1. He noted Congress helped some agencies avoid furloughs by granting flexibility in the administration of sequestration cuts. He stated it was not clear whether FAA would be granted the same flexibility in FY14.

Ms. Courtney stated although the legislative relief granted in late April 2013 ended furloughs, the budget cuts imposed by the sequester will have an impact, some of the effects of which are yet to be seen.

MSG-3 for Rotorcraft

Mr. Harold Summers stated the International Policy Board accepted MSG-3, Vol. 2 for rotorcraft in April 2013. He noted this represents the first maintenance program document specifically written for rotorcraft. Mr. Summers explained the document will remain the intellectual property of A4A, and HAI will maintain it.

ADJOURNMENT

Mr. Elwell adjourned the meeting at 3:25 p.m.

ACTION ITEMS

Action Item	Responsible Party
Notify CAST and ASIAs of the EHWG's efforts regarding study of engine bird ingestion events, and coordinate communications between the EHWG, CAST, and ASIAs.	George Novak
Revise the draft tasking regarding air carrier maintenance reliability programs to reflect the ARAC's discussion and provide to the FAA.	Sarah MacLeod
Submit comments on the PREP Worksheet to the FAA by June 26, 2013.	ARAC members

Approved by: 
Daniel K. Elwell, Chair

Dated: September 6, 2013

Ratified on: September 19, 2013