

**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee.

**DATES:** The meeting will be on November 9, 2005, at 10 a.m.

**ADDRESS:** The meeting will take place at the Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591, 2nd floor, Bessie Coleman Room.

**FOR FURTHER INFORMATION CONTACT:** Gerri Robinson, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9678; fax (202) 267-5075; e-mail Gerri.Robinson@faa.gov.

**SUPPLEMENTARY INFORMATION:** Under 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 Executive Committee of the Aviation Rulemaking Advisory Committee taking place on November 9, 2005, at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC, 20591. The agenda includes:

- ISO Feedback (Pilot ARM Feedback Form)
- EASA discussion
- ARAC Web Changes
- Future of ARAC/Recertification of ARAC membership/Charter renewal
- 2006 Meeting dates – frequency (2 verses 4)

## RECORD OF MEETING

**MEETING DATE:** November 9, 2005

**MEETING TIME:** 10:00 a.m. – 12:00 p.m.

**LOCATION:** Federal Aviation Administration  
800 Independence Ave., SW  
Bessie Coleman Room  
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 October 25, 2005 (70 FR 61683).

**ATTENDEES: Executive Committee Members**

Ron Priddy	National Air Carrier Association <i>ARAC Chair</i>
Craig Bolt	Pratt & Whitney, <i>ARAC Vice Chair</i>
John Swihart	Helicopter Association International <i>Rotorcraft Issues, Assistant Chair</i>
Bill Edmunds	Air Line Pilots Association <i>Air Carrier Operations Issues, Assistant Chair</i>
Rosemary Dillard	National Air Disaster Alliance/Foundation <i>Public Interest Representative</i>
Nan Shellabarger	Federal Aviation Administration <i>Office of Aviation Policy and Plans</i>
Tony Fazio	Federal Aviation Administration <i>ARAC, Executive Director</i>
Web Heath	General Aviation Manufacturers Association <i>Aircraft Certification Procedures Issues, Assistant Chair (Alternate) - for Bill Schultz</i> <i>Occupant Safety Issues , for Billy Glover</i>
Rebecca MacPherson	Federal Aviation Administration <i>Office of the Chief Council</i>
Sarah MacLeod	Aeronautical Repair Station Association. <i>Air Carrier/General Aviation Maintenance Issues, Co-Assistant Chair</i>
<i>Paul Hudson</i>	<i>Aviation Consumer Action Project,</i> <i>Public Interest Representative</i>

### **Attendees**

Gerri Robinson	Federal Aviation Administration, Office of Rulemaking
Brenda Courtney	Federal Aviation Administration, Office of Rulemaking
Ida Klepper	Federal Aviation Administration, Office of Rulemaking
Eve Taylor Adams	Federal Aviation Administration, Office of Rulemaking
Bob Robeson	Federal Aviation Administration, Office of Aviation Policy and Plans
Edmond Boullay	EASA
Tim Adams	Federal Aviation Administration, Office of Rulemaking
Shanna Harvey	Federal Aviation Administration, Office of Rulemaking
John Linsenmeyer	Federal Aviation Administration, Office of Rulemaking
Chris Benich	Honeywell
Norm Joseph	Airline Dispatchers Federation

### **Telephone participants**

Clifton Pettigrew	Boeing
Joe Fila	Gulfstream

### **COMMITTEE ADMINISTRATION**

Committee Chair, Ron Priddy, called the meeting to order at 10:10 a.m., and welcomed everyone to the meeting. The Executive Committee members and those attending the meeting introduced themselves. Mr. Pettigrew and Mr. Fila joined the meeting by phone.

The Executive Director, Tony Fazio, read the required Federal Advisory Committee Act (FACA) statement. Mr. Priddy recognized the new EXCOM member from the National Air Disaster Alliance Committee, Rosemary Dillard.

### **REVIEW OF MINUTES**

Mr. Priddy summarized the approved Executive Committee meeting minutes from November 2004, and then entertained a motion to ratify the minutes. There was a motion by Bill Edmunds and Sarah MacLeod seconded the motion. The committee voted to accept and ratify the minutes of the November 2004 meeting as written. (Attachment 1)

### **ISO FEEDBACK (Pilot ARM Feedback Form)**

Mr. Fazio explained Office of Rulemaking received its ISO certification in August. The ARAC manual is just one of the processes in ARM that is certified. Part of the ISO process is continuous improvement. Therefore, we are introducing the ARAC feedback form. Mr. Fazio encouraged the ARAC EXCOM members to share any feedback they may have during this meeting or in the future. If the form is distributed and returned during the meeting, he stated ARAC could be free from the OMB Paperwork Reduction Act limitations. The forms were distributed, and he asked that they be returned before the meeting is adjourned. The Issue Areas will use these forms at their meetings.

Mr. Fazio stated Mr. Sabatini's goal is for all the offices and services in AVS be ISO certified by the end of 2006—achieving one certification for all AVS. Sarah MacLeod wondered if there was an office heading this certification for AVS, and are the certified documents available to the public. Tony responded that depends on the processes selected for certification—stating that ARM has chosen both public and internal processes.

### **EASA—European Aviation Safety Agency.**

At the last EXCOM meeting, Mr. Fazio briefed the Committee about the future of FAA, EASA, international coordination, and rulemaking.

The group began a discussion about their counterpart (EASA) and how the two groups may interact. The focus would be to continue cooperation on future programs. But, in the future, harmonization would not be undertaken just for the sake of harmonization. Tony stated the focus now is cooperation on future programs, and ensuring the rules worked on during the last 15 years are not disharmonized. He stated all discussions with EASA have been promising.

Bob Pope of EASA has been open and wants to work with the FAA--regulatory programs and prepublication documents have been exchanged. AVS has an ISO coordination process for these documents. The FAA and EASA will exchange representatives for those rules where there is exceptional interest. Mr. Fazio stated ARAC will be supported, and it will be critical for us to identify to EASA those regulations we would like their participation.

Mr. Fazio discussed another EASA concept...one or the other authority will take the lead on a particular subject matter --not sure how this will work. The HIRF rule will be a candidate for this new idea. Mr. Fazio reminded us that all these ideas are in early stages of development. EASA will take on JAA's operational responsibilities at the end of 2006—JAA will then go out of existence.

Mr. Edmund Boullay, EASA, was invited to make comments. He spoke to two-way agreements between the FAA and EASA, how EASA is still in the building stage. EASA is feeling a bit overwhelmed, and some JAA proposals may need to be amended to fit into the EASA program. Mr. Fazio encouraged everyone to watch all the NPA's EASA is publishing and provide comments. There was further discussion on the good relationship between JAA and FAA and continuing that relationship with EASA. Mr. Priddy asked how he could follow the NPA process. Mr. Boullay corroborated the EASA web site would be that tool.

Tony Fazio briefly touched on the CMT discussions about industry input to FAA priorities. He proposed, with AGC's approval, a Federal Register Noticed could be published identifying some activities the agency is considering. Industry could then make their comments--Rebecca Mac Pherson was open to this idea.

## **ARAC WEB CHANGES**

Mr. Priddy addressed the frustration ARAC members have because of the elimination of the ARAC web site and other FAA sites they have come to depend on over the years. Mr. Fazio addressed the group on the reinstatement of the ARAC site. He gave the history about why the decision was made to take the ARAC information down. He did announce, because of the negative feedback, it has been negotiated the ARAC information will be returned to the FAA web site by Dec. 9, 2005. The site may look a little different, but all the tasks and recommendations will be there. The schedule of meetings with minutes will be ready about the first of the year. Mr. Fazio did state if anyone needed any information before the 12/9 date, there is a set of disks available. (Attach 2). Mr. Fazio encouraged the group to please continue to give us feedback on ARAC and the web site.

## **FUTURE OF ARAC/RECERTIFICATION OF ARAC MEMBERSHIP/CHARTER RENEWAL**

Mr. Priddy introduced this agenda item stating the EXCOM members had a good discussion on this topic at the last EXCOM meeting. (See minutes of Nov. 04 EXCOM meeting). He also mentioned ARM sent letters to all 73 ARAC member organizations seeking membership recertification.

Mr. Fazio reemphasized he still sees the value of ARAC even though it seems the agency is leaning towards ARCs. He doesn't want ARAC to sunset. Therefore, part of this effort is to get the charter renewed. He explained the tendency of the FAA's lack of ARAC task assignments stems from our limited resources to work the projects once the ARAC recommendations are sent to the FAA. He hopes this approach will eliminate or reduce ARAC project stagnation.

Paul Hudson commented that ARAC is a valuable tool for industry, the public, and regulators. But feels that maybe ARAC has not achieved its original purpose to act as a workshop and streamline rulemaking. To have a meaningful ARAC, some changes to the charter may be needed—making it more effective in the future. He noted ARAC's activity level has dropped tremendously. He suggested that EXCOM doesn't just rubber stamp a new charter, but take a look at what is in the charter and what improvements can be made—maybe set up an EXCOM subcommittee. This was discussed, and determined the charter is just a functioning internal document supplied to GAO and what Mr. Hudson is suggesting is how to improve the established advisory committee--ARAC. However, there was agreement the charter is not the instrument to do that—and there was support for a special committee meeting to look at ways to improve and support ARAC. Sarah MacLeod spoke to the frustration of her group--increase in ARC activity, and the lack of activity in ARAC. She agreed with Mr. Hudson's suggestion to call a special committee meeting. Mr. John Swihart agreed with this idea. It was decided the May meeting would be an extended meeting to address this issue.

A short discussion followed about the FACA process and how it relates to ARAC. Rebecca MacPherson, AGC, commented about the purpose of the charter and the requirements for rechartering. She believed in the benefits of ARAC, and stated the benefits and the goals in the present charter are enough to justify rechartering. Mr. Priddy reviewed the fact that all tasking must come from the FAA, the advisory committee cannot create it assignments. Everyone agreed to the fact that ARAC is a good concept bringing technical people together on rules, but once the recommendation is filed, the lack of activity on the recommendation is where the frustration sets in. Ms. MacPherson recognized that frustration, but reminded the members that is the nature of the rulemaking process. Mr. Priddy then asked that the charter be sent to all EXCOM members with a deadline for review and comment.

Mr. Fazio announced that Mr. Priddy would step down as the Chair of EXCOM, and as stated in the Committee Manual, the Vice Chair, Craig Bolt, will be the new chair. The FAA will appoint a new vice chair. Mr. Fazio asked that anyone who's interest in this position to contact him.

## **2006 MEETING DATES**

Mr. Priddy passed this item to the up coming chair, Mr. Bolt, for discussion. It was discussed and agreed 2 meetings would be scheduled--May 17, 2006 and Nov. 8, 2006. The May 17 meeting would be an extended meeting devoted to ARAC and the ARAC process. Premeeting materials would be shared electronically with instructions--time will be devoted to organizing the May meeting. Ms. MacLeod stated that other items besides rules could be tasked to ARAC, i.e., advisory materials, policies, procedures, etc.

## **ISSUE AREA STATUS REPORTS FROM ASSISTANT CHAIRS**

**Craig Bolt, Transport Airplane and Engine Issues:** Craig noted their last meeting was Oct. 19, 2006—TAE continues with its policy of 3 meetings a year. There are 3 active working groups—Avionics, Airworthiness & Assurance, and Ice Protection. At the Oct. meeting, agreement was reached on the “Super cooled large droplet diameter” recommendation from the Ice Protection Harmonization Working Group. This 300+-page document has been sent to the FAA. Their next meeting will be in February

**Bill Edmunds, Air Carrier Operations Issues:** No meetings this past year. There is one active working group--The All Weather Operations Working Group. This group continues work on its most recent task. Mr. Edmunds announced there would be a meeting of the Issues Area in either Feb or March of 2006.

**Sarah MacLeod, Air Carrier/General Aviation Maintenance Issues:** Ms. MacLeod had nothing to report.

**John Swihart, Rotorcraft Issues:** Rotorcraft issues had 2 meetings this past year— Feb., & Sept. The next meeting is scheduled for Feb. 06. There is one active task-- Composite Rotorcraft Structure. Metallic Rotorcraft Structure has been submitted. Mr. Swihart mentioned the next meeting of the Rotorcraft Issues Area will be in February 06—Dallas, TX.

**Web Heath (for William Schultz), Aircraft Certification Procedures:** Mentioned ODA final rule published in Sept. He stated they are still waiting for the Production NPRM.

**Web Heath, Occupant Safety Issues Area:** Nothing to report

**Ron Priddy, Training and Qualifications Issues Area:** Nothing to report

**Tony Fazio reported for Airport Certification Procedures Issues:** One task remains in the Rescue and Firefighting Requirements Working Group. The recommendation is now in economic review.

#### **REMARKS FROM OTHER EXCOM MEMBERS**

**Rosemary Dillard, NADA:** Ms. Dillard gave her background. Tony Fazio invited her to stop by his office for an ARAC briefing.

**Paul Hudson, ACAP:** Discussed Emergency Evacuation of new airlines, ODA, and outsourcing. He voiced concerns about the outsourcing of maintenance and maintenance facilities. Mr. Hudson stated we have had a broad period of no aircraft incidents, and he hoped that this would continue. He felt it was not the time to relax and mentioned another issue about weight factor. Mr. Priddy thanked Mr. Hudson for this comments. He pointed out to Mr. Hudson there have been two new advisory circulars addressing Weight and Balance. An ARC (w/industry experts) has addressed this issue--AC 120-27(E).

Ms. MacPherson noted to the group that Headquarters Legal Interpretations are now on the AGC Web site (under policy and adjudication) --Should be fairly complete for the past 15 years. The older ones will be place on line as well. There were no further comments. Mr. Priddy accepted a motion for adjournment from Sarah MacLeod--Bill Edmunds seconded the motion. The meeting was adjourned at 12:10pm.

Approved by: \_/S/\_\_\_\_\_  
Ron Priddy, Chair

Date 12/1/05\_\_\_\_\_

Ratified on: \_\_\_\_\_



# AVIATION RULEMAKING ADVISORY COMMITTEE (ARAC)

FEDERAL AVIATION ADMINISTRATION

BESSIE COLEMAN ROOM

*NOVEMBER 9, 2005*

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## **EXECUTIVE COMMITTEE MEETING, 10:00 a.m.**

- Welcome and Introductions
  - Rosemary Dillard—new NADA Representative
  - Ratification of November 2004 meeting minutes
- ISO Feedback (Pilot ARM Feedback Form)
- EASA discussion
- ARAC Web Changes
- Future of ARAC/recertification of ARAC membership/charter renewal
- 2006 meeting dates
  - 4 meetings    Feb. 8, 2006
  - May 17, 2006
  - August 9, 2006
  - Nov. 8, 2006
  
  - 2 meetings    May 17, 2006
  - Nov. 8, 2006
- Issue Area Status Reports from Assistant Chairs
- Remarks from other EXCOM members



- Issue Area Status Reports from Assistant Chairs
- Remarks from other EXCOM members

Attendance is open to the interested public but limited to the space available. The FAA will arrange teleconference service for individuals wishing to join in by teleconference if we receive notice by October 31. Arrangements to participate by teleconference can be made by contacting the person listed in the "FOR FURTHER INFORMATION CONTACT" section. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by October 31 to present oral statements at the meeting. The public may present written statements to the executive committee by providing 25 copies to the Executive Director, 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."

Issued in Washington, DC, on October 18, 2005.

/S/  
Anthony F. Fazio  
Executive Director  
Aviation Rulemaking Advisory Committee