



## **ATTACHMENT 36**

**AIRWORTHINESS GROUP CHAIRMAN'S FACTUAL REPORT**

**LAX-02-GA-201**



US Department  
of Transportation

**Federal Aviation  
Administration**

OCT 26 1992

Mr. Robert L. Peterson  
Director, Office of  
Aircraft Services  
U.S. Department of the Interior  
Boise, Idaho 83715-5428

Dear Mr. Peterson:

This is the followup response promised in my April 29 letter concerning your inquiry of T&G Aviation, Inc. I regret that our response date of May 29 was not met as intended. This omission was deserving of your inquiry letter of July 24.

After a thorough review of the issues, we felt the Federal Aviation Administration's (FAA) response must go beyond preparing a routine reply to your April 1 inquiry. As Mr. Campbell pointed out in his letter, "This issue may have national impact for other Federal agencies...." This issue has already had impact upon other Federal agencies, aviation special interest groups, and, recently, the press.

In order to address completely your questions and others associated with the C-130A in civil use, the Aircraft Certification Service and the Flight Standards Service met on September 2. Also in attendance were three National Aviation Safety Inspection Program (NASIP) team members, who inspected T&G Aviation, Inc., in May 1991. Mr. Davis' letter was reviewed and his issues were addressed by the participants.

From the regulatory standpoint, the issuance of a type certificate (TC) for a particular aircraft is based on the approval of the type design and the data to support that design. For surplus military aircraft, such as the C-130A, the FAA issues a TC for a special purpose in the restricted category (Federal Aviation Regulations [FAR] Section 21.25(b)) if the following conditions (FAR Section 21.25(a)) are met:

1. The applicant can show compliance with the noise requirements of FAR Part 36.

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2. No feature or characteristic makes the aircraft unsafe when operated in accordance with its limitations.

3. The aircraft was manufactured in accordance with the requirements of, and accepted for, service by an Armed Force of the United States.

4. The aircraft was later modified for a special purpose.

The FAA uses the second and third conditions as the main basis for issuing a restricted category TC (such as A15NM), approving an aircraft model's type design and supporting data. In addition, as the second condition implies, the FAA depends heavily upon military service records when determining aircraft limitations, including maintenance requirements (after the TC is issued).

Once the FAA issues a restricted category TC for a special purpose operation, an applicant is entitled to an airworthiness certificate for an aircraft if: (1) the aircraft has been inspected by the Administrator; (2) is in a good state of preservation and repair; (3) is in a condition for safe operation; and (4) complies with the restricted category TC.

Mr. Davis expressed concern that the Programmed Depot Maintenance (PDM) in TO-00-25-4, Table 1-2, must be completed prior to issuance of a Certificate of Airworthiness. The PDM is a part of the U.S. Air Force's inspection and maintenance program while the aircraft is under military control. During the civil certification process, the aircraft owner must perform all necessary airworthiness inspections (formerly done during the PDM) to determine that the aircraft is airworthy. The FAA then inspects the aircraft and, if the aircraft complies with the TC and is in a condition for safe operation, issues a certificate of airworthiness. Based on the information received from the FAA's aircraft records in Oklahoma City, Oklahoma, this process was followed in the certification of T&G's C-130A in question.

In addition, the civilian owner will obtain FAA approval of an inspection program in accordance with FAR Section 91.407, (Section 91.409(f)(4) in T&G's case) and maintain the aircraft in an airworthy condition in accordance with FAR Part 43. T&G Aviation's inspection program, approved by the Flight Standards District Office (FSDO) in Scottsdale, Arizona, includes the inspection procedures and life-limited

component overhauls/replacements necessary to maintain the aircraft in an airworthy condition.

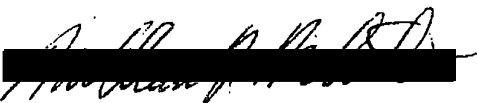
While the FAA appreciates Mr. Davis' recommendation to standardize maintenance programs for this type of aircraft, we cannot recommend its application from a practical standpoint. Different operations have different maintenance requirements. Operators must be allowed to tailor their maintenance programs to fit their specific operation(s). Because of the diversity of operations performed by restricted category aircraft, a universal maintenance program might degrade the level of safety rather than improve it.

For example, operators spraying pesticides have different maintenance programs than operators carrying cargo containers. Operators in desert environments have different maintenance programs than operators in maritime or jungle environments. Using similar reasoning, the Air Force designed maintenance programs for each C-130A; one of the factors the Air Force used was whether the aircraft flew long flights at high altitudes or short flights at low altitudes.

Members at the meeting on September 2 overwhelmingly agreed that a meeting with you, or your representative(s), and the FAA would be very beneficial. A meeting would allow the Department of the Interior (DOI) and the FAA an opportunity to discuss aviation matters of mutual concern as Mr. Davis' letter exemplifies.

I look forward to your response regarding a date for a DOI/FAA meeting. If you have further questions on this matter, please contact me.

Sincerely,



Thomas C. Accardi  
Director, Flight Standards Service