Federal Aviation Administration – Regulations and Policies
Aviation Rulemaking Advisory Committee

Aircraft Certification Procedures Issue Area
Emergency Locator Transmitter Working Group

Task 1 – Fleet wide ELT Replacement Program

Task Assignment

Aviation Rulemaking Advisory Committee; Emergency Locator Transmitter Working Group

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of establishment of the Emergency Locator Transmitter Working Group.

SUMMARY: Notice is given of the establishment of the Emergency Locator Transmitter Working Group of the Aviation Rulemaking Advisory Committee (ARAC). This notice informs the public of the activities of the ARAC on aircraft certification procedures issues.

FOR FURTHER INFORMATION CONTACT: Mr. William J. (Joe) Sullivan, Assistant Executive Director, Aviation Rulemaking Advisory Committee, Aircraft Certification Service (AIR-3), 800 Independence Avenue, SW., Washington, DC 20591, Telephone: (202) 267-9554; FAX: (202) 267-5364.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has established the Aviation Rulemaking Advisory Committee (ARAC) (56 FR 2190, January 22, 1991; and 58 FR 9230; February 19, 1993). One interest area of the ARAC is aircraft certification procedures (57 FR 39267; August 28, 1992). These issues involve procedures for aircraft certification found in parts 21, 39, and 183 of the Federal Aviation Regulations (FAR), which are the responsibility of the FAA Director of Aircraft Certification. By this notice, these issues are expanded to include advice on requirements for automatic emergency locator transmitters (ELT) found in FAR part 91, and for survival ELT found in FAR parts 25, 29, 121, 125, and 135.

ELT approved under Technical Standard Order (TSO) C91 during the 1970s and 1980s experienced generally unsatisfactory performance. To deal with the problem, the FAA issued Notice 90-11 (55 FR 12316, April 2, 1990). This notice contained four basic proposals: (1) ELT approved under recently adopted and improved TSO-C91a, or a later issued TSO for ELT, would be required for all newly-manufactured airplanes and for the replacement of existing ELT which became unusable or unserviceable; (2) Newly issued TSO-C126 for 406 MHz ELT (adopted in December 1992) would also constitute compliance with the existing and proposed rules requiring an ELT; (3) Improved standards would be established for survival ELT (although most of the unsatisfactory field experience had been with automatic ELT); and (4) The manufacture of ELT under TSO-C91 would be terminated simultaneously with issuance of the final rule based on Notice 90-11.

In addition to the proposals outlined above, the FAA solicited comments on the need for a fleet-wide ELT replacement program. The FAA is developing a document disposing of the rulemaking proposals in Notice No. 90-11. However, the FAA has chosen to ask the ARAC to consider the issues raised in the comments on that notice dealing with fleet-wide ELT replacement program. This will be accomplished by the Emergency Locator Transmitter (ELT) Working Group whose recommendations will be considered and disposed of by the ARAC Aircraft Certification Procedures Interest Group.

Specifically the ELT Working Group's tasks are the following:

Task 1: The ELT Working Group is charged with reviewing the comments received on FAA Notice of Proposed Rulemaking 90-11 dealing with a fleet-wide ELT replacement program. The review should address at least the following issues: (1) Whether automatic ELT should be installed (retrofit) on all transport and commuter category airplanes; (2) Whether survival ELT should be installed (retrofit) on all aircraft operating over water or in remote areas; (3) Whether all ELT now installed on airplanes should be replaced (retrofit); and (4) Whether ELT to be installed on newly manufactured airplanes or as replacements, or under items (1)-(3), above, should be either the improved 121.5/243 megahertz (TSO-C91a) or the 406 megahertz (TSO-C126) variety, or only the letter. After completing that review, present a report of findings and recommendations to the ARAC for consideration.

Task 2: Based on the results of task 1 and the guidance received from the ARAC, develop recommendations for rulemaking on the subject of ELT installations and the variety or varieties to be used. If rulemaking is not recommended in whole or in part, develop a report recommending disposition of the comments in Notice 90-11, including the issues identified above, and recommending rulemaking not be pursued in whole or in part. In either event, present the working group's final work product to the ARAC for review and final disposition.

Reports

A. Recommend time line(s) for completion of each task, including rationale, for consideration at the ARAC meeting to consider aircraft certification procedures issues held following publication of this notice.

B. Give a detailed presentation on conclusions and recommendations in the report for Task 1 to the ARAC, and receive ARAC approval, before proceeding with the work stated in Item C, below.

C. Develop a Notice of Proposed Rulemaking (NPRM) proposing the new standards for emergency locator transmitters, supporting economic and other required analysis, advisory and guidance material, and any other collateral documents the Working Group determines to be needed. Alternatively, develop a report that recommends disposition of the comments on Notice 90-11, including the specific issues identified, and recommends rulemaking not be pursued. Present these recommendations to the ARAC for further consideration and disposition.

D. Give a status report on the tasks at each meeting of the ARAC held to consider aircraft certification procedures issues.

The ELT Working Group will be comprised of experts from those organizations having an interest in the task assigned to it. A Working Group member need not be a representative of one of the member organizations of the ARAC. An individual who has expertise in the subject matter and wishes to become a member of the Working Group should write the person listed under "FOR FURTHER INFORMATION CONTACT" expressing that desire, describing his or her interest in the task, and the expertise he or she would bring to the Working Group. The request will be reviewed with the Chairs of the Issue Group and the ELT Working Group; and the individual will be advised whether or not the request can be accommodated.

The Secretary of Transportation has determined that the information and use of the ARAC is necessary in the public interest in connection with the performance of duties imposed on the FAA by law. Meetings of the ARAC will be open to the public, except as authorized by section 10(d) of the Federal Advisory Committee Act. Meetings of the ELT Working Group will not be open to the public, except to the extent that individuals with an interest and expertise are selected to participate. No public announcement of Working Group meetings will be made.

Issued in Washington, DC, on March 19, 1993.

William J. Sullivan,

Assistant Executive Director for Aircraft Certification Procedures Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 93-7102 Filed 3-26-93; 8:45 am]

BILLING CODE 4910-13-M

Recommendation Letter

Action: ~~AGC~~ AIR

AIR

GAMA

General Aviation Manufacturers Association
1400 K Street NW, Suite 801
Washington, DC 20005-2485
(202) 393-1500 • Fax (202) 842-4063

February 1, 1994

Mr. Anthony J. Broderick
Associate Administrator for
Regulation & Certification, AVR-1
Federal Aviation Administration
800 Independence Avenue SW
Washington, DC 20591

Dear Mr. Broderick:

This letter is in response to a request from the ARAC ELT Working Group of the Certification Procedures Issues Group.

In fulfilling part of its task, the ARAC ELT Working Group has studied the comments received in response to NPRM 90-11. Upon reviewing the background material of this NPRM, the issues group has concluded that the current ELTs designed to TSO-C91 are unreliable. The following quote from the NPRM is indicative, "Statistics show that only about 3 percent of ELTs involved in accidents activate".

The ELT Working Group recommends that the FAA should establish an effective date(s) and issue NPRM 90-11 as a Final Rule. The working group also recommends that this action be carried out as soon as possible. Further, that this action be taken for the following reasons:

- Three years has elapsed since the comment period of July 31, 1990 closed;
- Future production of ELTs designed to TSO-C91 should be prohibited;
- Maintenance issues are in need of clarification;
- The FAA, in response to several NTSB recommendations, said it would issue the final rule;
- The continued production of ELTs with a 97 percent false alarm rate is unreasonable.

Although NPRM 90-11 does not represent a complete solution (it does not require replacement of the obsolete ELTs with improved ELTs), it does solve some of the more immediate problems: maintenance and withdrawal of manufacturing authority for TSO-C91 ELTs.

NO PLANE NO GAIN

This recommendation was endorsed by the ARAC Certification and Procedures Issues Group at its January 28, 1994 meeting, and is respectfully submitted for your consideration and Agency action.

Sincerely,

James E. Dougherty
Chairman
ARAC Certification Procedures Issues Group

copy J. Schwind, ALPA

Acknowledgement Letter

U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

MAR 1 1994

Mr. James E. Dougherty
General Aviation Manufacturers
Association
1400 K Street NW, Suite 801
Washington, DC 20005-2485

Dear Mr. Dougherty:

I have received your letter dated February 1 on behalf of the ELT Working Group and the ARAC that addresses Aircraft Certification Issues. In your letter you have recommended that the Federal Aviation Administration (FAA) should establish an effective date and issue NPRM 90-11 as a Final Rule.

Please be assured that the agency recognizes your concerns and is working to accomplish your recommendation. As you know, the FAA has developed a document in response to the comments received on NPRM 90-11. The document is currently undergoing coordination, which is necessary to ensure agency and departmental views and policies are adequately addressed. I will let you know when a Final Rule is published.

Thank you for your interest and your concern, and for your active participation in ARAC. If you have any further comments, please contact me.

Sincerely,

Anthony J. Broderick
Associate Administrator for
Regulation and Certification

Recommendation

Action: ~~AGC~~ AIR

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Sincerely,

James E. Dougherty
Chairman
ARAC Certification Procedures Issues Group

copy J. Schwind, ALPA

FAA Action – Not Available