Time	Agenda Item Number	MMEL IG 88 DAY 1 Wednesday November 7, 2012	Lead
0800-0815	88-01	**Introduction/Administrative Remarks and Elections**	MMEL IG Chairman
0815-0830	88-02	**MMEL IG/FOEB Calendar**	MMEL IG Chairman
0830-0845	88-03	**MMEL Agenda Proposal &Coordination Process**	MMEL IG Chairman
0845-0900		**MMEL Policy Letters**	MMEL IG Chairman
	88-04A	**PLs Issued in 2012**	
	88-04B	**PL Status Summary**	
	88-04C	**PLs Under Revision**	
0900-0910	88-05	**Policy Letter Process - A Focus on Comments**	AFS 240 – Greg Janosik
0910-0920	88-06	**PL 77 Cockpit and Instrument Lights, Proviso a) - "Not on Emergency Bus"**	Working Group T. Schooler, D Landry, M Baier, E Lesage
0920-0930	88-06A	**PL 77 Cockpit and Instrument Lights, Proviso a) "Not required for an emergency procedure"**	USA – Bob Taylor
0930-0945	88-07	**NEW AGENDA ITEM:** **PL 24 Lavatory Fire Protection**	Cessna – T. Schooler Netjets – D. Sheets
0945-1000	88-08	**NEW AGENDA ITEM:** **MMEL Supplements**	Cessna – T. Schooler
1000-1015		**BREAK**	

Time	Agenda Item Number	MMEL IG 88 DAY 1 (Continued) Wednesday November 7, 2012	Lead
1015-1045	88-09	**Swapping Compatible Component Positions to Apply Minimum Equipment List Relief**	Tom Helman – FAA (AFS-330) Tom Atzert - UAL)
1045-1055	88-10	**CFR 382.63 -What are the requirements for accessible lavatories?**	FAA (AFS- 240) – Greg Janosik
1055-1105	88-10A	**PL 128 Lavatory Call System – PL Comparison**	Workgroup- T. Atzert, D.K Deaderick, G. Roberts, J. White, B. Taylor
1105-1120	88-11	**Clarification regarding what MMEL definitions are required in the Operator's MEL**	Cessna – Todd Schooler
1120-1130	88-12	**88-13. PL-121 (EFB) Electronic Flight Bag**	LGB AEG - Gene Hartman
1130-1150	88-13	**PL-98 Navigation Databases**	Working Group - John McCormick
1150-1200	88-14	**AC 117-1 Crew Rest Facilities**	FAA (AFS-220) - Dale Roberts
1200-1315		**LUNCH**	
1315-1345	88-15	**PL-63 Equipment Required for Emergency Procedures**	Airbus - Eric Lesage
1345-1430	88-16	**NEW AGENDA ITEM: Preambles / Definitions**	Gene Hartman (FAA)
1430-1445		**BREAK**	
1445-1500	88-17	**PL 73 MMEL Relief for Emergency Medical Equipment**	A4A Bob Ireland

Time	Agenda Item Number	MMEL IG 88 DAY 1 (Continued) Wednesday November 7, 2012	Lead
1500-1515	88-18	**Deferral of MMEL Item Subcomponents which are not specifically authorized relief in the MMEL**	Boeing – Paul Nordstrom
1515-1530	88-19	**Display Units MMEL Relief**	Transport Canada - Carlos Carreiro/ John Hientz
1530-1615	88-20	**PL-130 Systems** **MMEL Policy for Nose Gear Steering**	FAA (AFS – 240) Greg Janosik
1615-1630	88-21	**Part 91** **MMELs – Handling and Content**	FAA (LGB AEG) – Gene Hartman
		Continued (Day 2)	

Time	Agenda Item Number	MMEL IG 88 DAY 2 Thursday November 8 2012	Lead
0800-0820	88-22	**NEW AGENDA ITEM: Aircraft Position Lights in MMEL's**	Aerodox - David Burk
0820-0835	88-23	**PL-76 ATC Transponders**	Boeing – Paul Nordstrom
0835-0850	88-24	**NEW AGENDA ITEM: PL-40 ETOPS**	Airbus – Eric Lesage
0850-0905	88-25	**PL-79 Passenger Seat Relief**	Cessna – Todd Schooler
0905-0920	88-26	**PL-122 Flight Deck Surveillance Systems**	FedEx – Kevin Peters
0920-0935	88-27	**PL-106 High Frequency Communications**	UPS
0935-0950	88-28	**NEW AGENDA ITEM:** **PL-XX Heads Up Display (HUD) and Enhanced Forward Vision (EFVS)**	FedEx – John McCormick
0950-1000	88-29	**FSIMS 8900.1 Rewrite Project: Volume 4, Chapter 4 (MEL)**	FAA (AFS 240) - Greg Janosik
1000-1015		**BREAK**	
1015-1030	88-30	**PL-125 Equipment Relief Without Passengers**	US Airways – Bob Taylor
1030-1040	88-31	**PL 102 Cargo Compartment Smoke Detection and Fire Suppression Systems**	Boeing – Paul Nordstrom
1040-1050	88-32	**NEW AGENDA ITEM: MMEL relief for Emergency Escape Path Marking Systems**	United – Tom Atzert
1045-1100	88-33	**FAA / EASA MMEL Harmonization**	FAA (AFS 240) – Greg Janosik & EASA – Colin Hancock

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

Time	Agenda Item Number	MMEL IG 88 DAY 2 (Continued) Thursday November 8, 2012	Lead
1100-1110	88-34	**PL-31 MMEL Format Specification – 'Next-Gen' MMEL Specs**	FAA (KCI AEG)- Walt Hutchings
1110-1120	88-35	**Conversion Of FAA MMEL Documents To XML (MMEL Transformation)**	FAA (AFS-260) – Bob Davis
1120-1130	88-36	**New MMEL Proposal System**.	FAA (KCI AEG) – Walt Hutchings
1130-1140	88-37	**ATA – MMEL / MEL Value to Industry Survey**	A4A – Bob Ireland/ Joe White
		NEW AGENDA ITEMS	
1140-1150		**PL 119 issue**	LGB – Gene Hartman
1150-1200		**PL 72 Wing Illumination Lights**	FAA SEA AEG Gary Larsen
1200-1230		**Review workgroup assignments**	IG Chainman
		IG 88 Adjourn	
1300-1700		**Crew Rest Facilities Workgroup (CRFWG) - Meeting**	

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

88-01: Introduction / Administrative Remarks

Item Lead: MMEL IG Industry Chairman

IG 87:

Receive nominations and hold elections for the positions of –

IG VICE CHAIRMAN: Don Reese (AAL) nominated and elected.

MEETING SECRETARY: No nominations received; Tom Atzert (UAL) volunteered to continue to serve in this role for now.

IG 88:

Nominations and hold elections for the position of MEETING SECRETARY.

Tom Atzert is able to continue as interim Meeting Secretary until August 2012 and then will no longer be available.

- A Volunteer or Nominee is requested. (Open)

Request for nominations was put forth for Tom's spot operating the overhead projector. Todd Schooler (Cessna) was nominated and accepted, Todd will take over the duty at the MMEL IG 90 next April.

Request for nominations for other positions was submitted. No volunteers came forth. Discussion was to continue to seek volunteers and it was proposed that the term of service be extended.

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

88-02: MMEL IG/FOEB Calendar

Objective: Keep the calendar current.

Item Lead: MMEL IG Industry Chairman

Standing Action (Ref. IG-FOEB Calendar Rev. 88)**:**

- IG Members are to review the MMEL IG/FOEB Calendar and advise the MMEL IG Industry Chairman of any changes or updates – Tim.Kane@jetblue.com

Action Item: **IG Members** are requested to consider hosting IG 91.

IG Chairman - Align calendar with the following updates provided at IG 86 -

2012
DC-3 FOEB: Date set as 19 Sept. To held in Long Beach, CA.
IG 88: Dates as set 7-8 Nov. Hosted by UPS in Louisville, KY,
Electronic MD-11 FOEB: No dates as yet but requested to remain on the calendar as 2012 event.

2013
IG 89: Date set as 9-10 Jan. Hosted by US Airways in Phoenix. AZ.
IG 90: Dates need to be adjusted to Wed, Thurs, 17-18 April. Hosted by Cessna in Wichita, KS.
IG 91 - OPEN
IG 92: Dates are set as 23-24 Oct. Hosted by FAA in Washington, DC.

IG 87:

2012
MD-11 FOEB: Electronic set for 17 Oct, 2012
DC-3 FOEB: will move to March, 2013
IG 88: Dates as set 7-8 Nov. Hosted by UPS in Louisville, KY

2013
IG 89: Dates as set 9-10 Jan. Hosted by US Airways in Phoenix. AZ.
IG 90: Dates as set 17-18 April. Hosted by Cessna in Wichita, KS
Note: Cessna will arrange a group factory tour.
IG 91: Kevin Peters (FDX) proposed that the group consider coming to the FedEx World Headquarters in Collierville, TN which is east of Memphis. He stated he will look into rates and transportation options. Greg Janosik (AFS 240) stated this was a potential show stopper as the size of the group is location driven and problems with logistics, transportation can discourage attendance. Kevin responded he will seek management approval to host in downtown Memphis. He stated he will outline the options next meeting.

Action item: Kevin Peters

2014

No volunteers for hosting IGs in 2014. No requests for FOEBs.

Item remains OPEN for future updates.

IG 88: (Ref: MMEL IG-FOEB Calendar - Rev 88-1.doc)

Action - Updates requested

2013

No FOEBs were requested for the year.

Gene Hartman (FAA LGB AEG) stated Bombardier Challenger CL300 jet FOEB what is scheduled for October 2012 was cancelled. No new dates proposed. He also reported that the DHC-8-100/-200/-300 scheduled for December 4-5 was also to be cancelled. The Q-400 series is in progress as scheduled.

IG 91: To be hosted by FDX, 7-8 August, Memphis, TN

IG 92: FAA SEG AEG was requested to take FAA position originally set for 23-24 Oct, Washington DC. New location Seattle, WA.

2014

SWA volunteered to host 4th Quarter IG 96

88-03: MMEL Agenda Proposal & Coordination Process

Objective: Keep the document current.

Item Lead: MMEL IG Industry Chairman

Standing Action:

- IG Members are to review the document and provide any changes that are required to the MMEL IG Industry Chairman.

  Document
  http://memberportal.airlines.org/taskforces/engineering_maintenance/mmel/Documents/Forms/AllItems.aspx?RootFolder=%2ftaskforces%2fengineering%5fmaintenance%2fmmel%2fDocuments%2fAdministrative&FolderCTID=0x0120000F20765BCD68A84D9CADB8290AEE1652&View=%7b4E13B2D7%2d24DE%2d40EB%2dA1CA%2d366C499AE032%7d

  MMEL IG Chairman
  Tim.Kane@jetblue.com

- IG Chairman will ensure updates provided by IG Members are addressed.

IG 86: (No attachment)

Todd Schooler has proposed a "Revision Log" be made part of the document to record changes to the document from this point forward; suggestions for the content of such a log as well as support for or objections to Todd's proposal will be discussed at IG 86.

Todd Schooler (Cessna) stated that in a presentation of this Agenda and Coordination document to the upper management of Cessna's engineering department he was asked to explain where does this document come from, who developed it, who maintains it, and where is the history of change located; he stated he had nothing to show them. It was then suggested that a revision record log and highlight of change page should be added to document.

Greg Janosik (AFS 260) questioned who was going to be responsible for the maintenance of such a log? The group responded that it is an FAA document as it is located on www.fsims.com. Greg stated he was totally unfamiliar with the document and its content and thus was not ready to accept responsibility without first becoming familiar with its scope and purpose and how it came to reside on FAA website.

88-03: MMEL Agenda Proposal & Coordination Process (Continued)

Tom Atzert gave a brief history that it had been initially created by this workgroup in the early 1990's as an ATA document, Spec 100. Later FAA insisted it become a public document and not an ATA proprietary document as it addressed the details of how the MMEL FOEB process is managed, affecting ATA members, non-members and FAA alike. With this explanation Greg agreed that further controls such as a revision record log should be added. He asked who has been responsible for updating this document to date. Answer was it is usually the responsibility of the Industry Chairman. Greg stated before any further decisions are made regarding this document he needs to read and become familiar with its content.

Action Item: Greg Janosik – Review MMEL Agenda Proposal & Coordination Process.

IG 87: (Ref. MMEL Agenda Proposal and Coordination Process – R 14)

Bob Taylor (US Airways) asked if there are any updates to this document. Paul Nordstrom (Boeing) advised person currently listed as APA contact has retired, and name should be removed and position shown as open. General discussion regarding who is responsible to keep document updated. Greg Janosik (AFS 240) stated he was unable to review the document and had no comment but agreed to get with A4A, Joe White, on issue. It was mentioned that the copy posted on www.fsims.faa.gov is several revisions out of date.

Action Item: Bob Taylor to provide update for FAA to post.

IG 88: (Ref. MMEL Agenda Proposal and Coordination Process – R 15)

Action Item: Industry Chairman

Tim Kane

- Update- MMEL Agenda Proposal and Coordination Process – R 15 is posted on FSIMS

Item remains OPEN for future updates.

Greg Janosik (AFS 240) asked why the MMEL Agenda Coordination / Process document was on the agenda. He stated he was unaware of the purpose of the document, where it originated from and who uses it. Kevin Peters (FDX) stated the document is in need of serious updating as it contains an outline of how an operator should build and submit an MMEL proposal to FOEBs. He stated it contains a non-standard template for an MMEL item and that this needs to be revised. General discussion was held on who adheres to the guidelines of the document. Kevin stated he felt at a minimum FAA needs to agree with the standard of presentation used to submit MMEL proposals and thus a workgroup should review and revise the document. Tim Kane (JetBlue / Industry Chair) agreed that is should be pursued. He stated the contact list of manufacturer and Lead Airline representatives also needs updating.

Greg Janosik recommended that the AEG members present to take issue back to their respective regional managers and someone be nominated to submit AEG inputs to workgroup. Gene Hartman (FAA LBG AEG) stated that he while he agreed with Kevin input he questioned of the efficiency of document by stating it is rarely followed by FOEB participants. Greg stated he thought as much based

upon the lack of initial group feedback that Kevin's comments. This was immediately countered by several members who stated that while small aircraft operators may not need such guidance it is definitely beneficial to large transport air carriers.

Kevin stressed that the FAA has accepted the Lead Airline Concept and the Agenda Coordination document was developed to outline how the concept was to be followed and the conventions to be used to support FOEBs, etc. A manufacturer representative from stated they did not follow the Lead Airline concept but otherwise found the processes within the document useful. This comment was seconded by Todd Schooler (Cessna) stating the timelines of activities as outlined in document is representative of level of activity that needs to be followed to coordinate and process an MMEL. Paul Nordstrom (Boeing) stated they do not delegate responsibility to Lead Airline but do coordinate their activity with the Lead. Todd countered with fact that small aircraft manufacturers do not have Airlines as customers. Paul stated in the Large Transport category the Lead Airline concept is a useful entity. Tim Kane summarized stating workgroup needs to take this into account.

Lead: Kevin Peters (FDX)
Tim Kane (JetBlue)
Paul Nordstrom (Boeing)
Todd Schooler (Cessna)
Note: A contact from SEA and/or LBG AEG to be assigned.

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

88-04A: Policy Letters Issued in 2012

Objective: Maintain for reference purposes a listing of FAA MMEL PLs issued as "Final" during the calendar year.

Item Lead: MMEL IG Industry Chairman

Standing Action: MMEL IG Industry Chairman will ensure list is updated accordingly.

IG 87: (Ref. PLs Issued for Calendar Year 2012 – R87)

PL matrix reviewed. Bob Taylor (US Airways) stated PL 25_R18, 59_R4, and 63_R4 that recently released still need to be added.

Action Item: Industry Chairman

Item remains OPEN for future updates.

IG88 (Ref : PLs Issued for Calendar Year 2012 - R88.pdf - Copy of Policy Letter Analysis Chart.xls.)

Action Item: Industry Chairman

- Bob Taylor (US Air) provided " PLs Issued for Calendar Year 2012
- George Ceffalo (FAA) provided "Policy Letter Analysis Chart"

Item remains OPEN for future updates.

George Ceffalo (AFS 240) gave a presentation showing level of PL activity year over year that outlined a spike in numbers in the last year, 2012. He stated the increase in number for year 2011 was primarily due to FAA re-formatting the PL along with new generated PLs. The reason for large number of PL revised in 2012 was what he referred to as 'clean up' rewrites. He cautioned that due to new internal FAA review process that now includes FAA legal that fewer PLs will flow through without challenge, or rejection. He thus concluded the number of PL approvals will slow down.

88-04B: Policy Letter Status Summary

Objective: Maintain for reference purposes a listing summarizing the current status of all FAA MMEL PLs.

Item Lead: MMEL IG Industry Chairman

Standing Action: IG Members are to review the POLICY LETTER STATUS SUMMARY and advise the MMEL IG Industry Chairman of any changes that are required. Robert.Taylor2@usairways.com

IG 85

Current Rev 85 as of 12 Dec, 2011 was reviewed. Question rose as to whether or not title of old PL should be retained and not replaced with the word ARCHIVED as meaning is lost.

Action Item: Bob Taylor to replace the word ARCHIVED with the title of the old PL.

IG 86: (Ref. PL STATUS SUMMARY)

Bob Taylor requested assistance from industry in identifying the title of archived PLs 18, 21, 42, 48, 49, and 51 (ref. MMEL POLICY LETTERS (PL) STATUS SUMMARY attachment). Paul Nordstrom (Boeing) volunteered to assist.

Action Item: Paul Nordstrom.

IG 87: (Ref. PL STATUS SUMMARY – R87)

Paul Nordstrom (Boeing), Bob Taylor (US Airways) and Greg Janosik provided some of the missing titles of the older PLs. After a follow on discussion by Paul was held regarding a 1992 TOC, it was determined the older PLs that are still missing will most likely never be found. This action is considered closed. This item to remain on the agenda for updates as required.

IG 88: (PL STATUS SUMMARY - R88.pdf)

Review updates

- Bob Taylor provided PL STATUS SUMMARY - R88.pdf

Item remains OPEN for future updates

The PL status summary, a listing of active PL by title, was presented. Tim Kane (JetBlue - Industry Chair) stated this document was created and is being maintained by former industry chairman, Bob Taylor (US Airways) and he asked if this product was of value to industry members. He outlined the details of the summary as showing all the PLs, by title, date, revision standard, and if active or archived, or transferred to 8900.

Paul Nordstrom (Boeing) suggested it would be helpful is this product could be updated to reflect 8900 location, chapter and section where PL information has been transferred to in 8900. Greg Janosik (AFS 240) stated he hesitated giving such location data pending the outcome of 8900 rewrite what it ongoing.

88-04C: Policy Letters Under Revision

Objective: Maintain for reference purposes a listing summarizing the current status of all FAA MMEL PLs under revision.

Item Lead: MMEL IG Industry Chairman

Standing Action: IG Members are to review MMEL PLs UNDER REVISION and advise the MMEL IG Industry Chairman of any changes that are required. Robert.Taylor2@usairways.com

IG 87 (Ref. PLs Under Revision – R87)

Matrix was reviewed. Bob Taylor (US Airways) stated PLs 25_R18, 59_R4, and 63_R4 need to be removed off list.

Action Item: Industry Chairman.

IG 88 (Ref. PLs Under Revision - R88.pdf)

Action Item: Industry Chairman –

Tim Kane Review updates

- Bob Taylor (US Air) provided PLs Under Revision - R88.pdf

Item remains OPEN for future updates.

Paul Nordstrom (Boeing) and Bob Taylor (USAirways) discussed their effort to gather historical documents. IG asked if A4A would be able to support a document library on behalf of the MMEL IG. Bob Ireland (A4A) will look into this request.

88-05: Policy Letter Process - A Focus on Comments

Objective: Clarification of the process utilized for the Development and Maintenance of Policy Letters

Item Lead: Greg Janosik – AFS 240

Discussion:

IG-85: (Reference PL Process MMEL IG 12-13-2011)

Greg Janosik (AFS 260) presented a flow chart on policy letter development and maintenance that outlines the process that is used to pass PL thru MMEL IG portion of PL development and then internal FAA review. He stated on the FAA side of flowchart it is a minimum four week process yet for the MMEL industry side he cannot place a timeline for flow through of PLs. Tom Atzert defended the industry position as been often prolonged by FAA issues in the early development phase. Bob Taylor asked if major change occurs on FAA side of flowchart where the notification back to industry side is as it was not shown in Greg's flowchart. Greg stated if a significant issue was to occur such as a regulatory change then the PL should be moved back to the industry side and his chart did not account for it to do so, yet he defended it absence as he reported that is in his opinion a very rare event.

He presented the FAA internal draft site and the presentation of how each posted PL appears. He pointed to the comment grid and it was questioned ‘how does a reviewer know if comments have been added and PL updated. He indicated comments are posted with dates. He walked the group thru the comment grid and stated submitter needs to save the comment grid as a file and then e-mail them to FAA using e-mail link. He reported that if PL is updated the draft number will be upgraded.

He then stated as comments are posted to the website it becomes the responsibility of the PL Lead to respond to comments. He stated if Lead does not respond then when comment period expires the PL will not move forward thru FAA and will remain in the IG as a part of workflow and be addressed as an agenda continuation item. Greg stated that before that occurs he will call the Lead and communicate the need to comment. Finally he stressed again that the FAA will not take the PL into their internal review until all comments are responding to by Lead.

Tom Atzert (UAL) asked if PLs are going to go thru the Federal Register and Greg stated yes if significant change in policy occurs or withdrawal of relief was to occur. Greg introduced a Ms Anne Bechdolt, FAA legal representative, who will be advising the group at future meetings of needs to post and when not to post to Federal Register, etc. It was asked what was actually going to Federal Register as the PL format cannot be accommodated; Register reads like a newspaper column. He states as they have not posted one yet they are still wrestling with legal on how to proceed. Pete Neff (AFS 240) gave example of some activity that has been handled by posting to the register and how each posting has to remain open for 30 days and numerous, in fact hundreds of comments can be received. Greg mentioned how comment to PL posted to the register will be become his to respond to and thus any such posting will be time consuming. Finally Pete concluded with for those who need to know, understand the process, they should review FAR 11 that goes thru the entire Federal Register and rulemaking process.

88-05: Policy Letter Process - A Focus on Comments (Continued)

IG-86: (No attachment)

IG Chairman's Note - No specific action was assigned for this item at IG 85, nor did the item indicate it was to be closed; it has been kept on the agenda until its status can be determined.

Greg Janosik (AFS 260) presented a revised color coded chart of the process utilized in the development of PLs as they move from an MMEL IG draft to FAA to final release (Ref. meeting minutes bookmark AI 86-05 PL Process V2.ppt). He walked the group through the chart and concluded this is how he perceives the process to function after working this past year or so with the MMEL IG and FAA HDQ. He then stated as such the chart should reside somewhere where the membership can periodically review it. Kevin Peters (FDX) stated he felt this chart should be documented as a part of the MMEL Agenda Proposal & Coordination Process document. Greg stated he was not familiar with that document but he will take that recommendation under advisement.

He asked the group for critique as whether they felt the chart accurately represented the process. Some discussion was had on the PL posting for the comment portion of chart and who sees the draft and comments made at that time, i.e., does the industry, public, see all comments like public and FAA internal comments and/or are just public comments posted, etc. It was asked what is the FAA Legal Department's responsibility within the process. Greg stated they are ensuring relief is correct, can be legally upheld, and is within scope of the regulation(s). Dennis Landry (ALPA) stated that he was already concerned over the how long it takes to gain PL approval now, and he is dismayed that Legal is now an integral part of the process. Greg stated it is essential, it cannot be avoided and it will by necessity add to the timeline of the development of PLs.

Dennis then raised the issue of many PLs being archived and 'going away.' Lengthy discussion pursued on the issue of archiving PLs and the incorporation of their content into FAA Inspector handbook 8900.1. Kevin Peters (FDX) stated that once the PL subject is incorporated into 8900.1 it is typically reduced to a sentence or two becoming more directive than guidance, thus the majority of content (e.g. the reasons for the policy change, the justification, the history of why the PL subjects were created, the record of changes, etc., are all lost as this information is no longer available (no longer transparent). In addition Industry does not know where to find the information once it is moved into the 8900.1 document. Candice Kolander (AFA) concurred with Dennis and stated not only does the PL become reduced to a sentence or two, there is no assurance that the minimal content of the PL that is incorporated into 8900.1 is not deleted, or changed again without involvement of the MMEL IG.

Greg stated the incorporated PLs do not go away but are placed in an archived status and therefore are available. He stated that although a matrix showing the location of where the PLs have been placed in 8900.1 is not available, a history mark is placed within each PL prior to its archiving identifying the incorporated 8900.1 chapter, section, para, etc. After a short discussion he had to concede that the PLs with the history mark are only internally accessible by FAA. Bob Davis (AFS 260) stated that prior to the establishment of the FSIMS website there was a degree of loss of history of older PLs; it was suggested that if members of Industry have any historical records of older PLs the FAA will accept them and see that they are scanned into the FSIMS repository. Finally Greg and Bob both agreed that access to some form of matrix for locating where incorporated PLs can be found in 8900 will be taken under consideration.

88-05: Policy Letter Process - A Focus on Comments (Continued)

Action Item: Greg Janosik – Consider development of matrix for locating archived PLs in 8900.1, including those already archived.

Action Item: MMEL IG Industry Members – Review your historical records for any older PLs and forward to Bob Davis and Greg Janosik.

IG-87: (No attachment)

Bob Taylor (US Airways) outlined how Greg Janosik (AFS 240) had action item to create database, matrix, of location of where ARCHIVED PLs topics that have been incorporated 8900.1 were to be found. Greg stated that some 32 active PLs have gone into re-write of 8900.1 and a matrix of where all these are to be found in 8900.1 Greg stated that this matrix will be available when rewrite is complete. There was a general consensus the Matrix should become part of the MMEL IG Agenda (similar to the PL matrices) when available.

It was asked if previously archived PL 109 could be made available as there were problems with this topic, i.e. How to obtain MMEL relief for STCs. Todd Schooler (Cessna) stated he had requested PL109 be re-activated and currently listed on www.fsmis.faa.gov .

John McCormick (FedEx) raised the issue of conflict, confusion, over a perceived change in Category D relief and the fact that PL 52 is archived and AEGs are using the perceived new Category D policy as justification for refusing to approve a recent request for new Category D relief. Furthermore, when asked if he could be given a copy of the 8900.1 Vol 8 re-write to see how the reported Category D policy has changed as AEG claimed, his request was denied. He stated they should not be using guidance that is not officially approved, and PL should not be archived until the new standard is released.

Greg Janosik (AFS 240) stated the FAA was not going to release any further drafts as the document (8900.1) has advanced to the official Document Control Board review stage within FAA Headquarters. He stated that industry had participation in the 8900.1 Vol 4/Ch 4 rewrite and the text of PL 52, Category D will be the same in the AEG Volume as it is in Vol 4, and if anybody needs to know how it reads then they should consult the Vol 4 re-write drafts already made available to industry. He stressed that he knew of no change of policy.

General discussion was held that a problem existed when PLs are archived but information contained in them is still actively sought. Greg stating as with PL 109 he has no problem in pulling a PL out of archive and reposting but he was frankly at a loss as this was the first time he had heard of any problems relating to this topic.

Item remains OPEN regarding status of Archived PL Matrix, and pulling PL 109 out of archive.

IG 88

Action- Greg Janosik FAA
Update status of Archived PL Matrix, and pulling PL 109 out of archive.

Greg Janosik (AFS 240) stated the PL comment grid found on the www.fsims.faa.gov website is in his opinion working well and he asked if anyone from industry member present had any issues with how the comment grid / process works. Todd Schooler (Cessna) stated he has had various comments submitted that did not ever get posted. Greg asked who he had sent comment(s) to and then stated he had no answer to why this had happened. He then outlined how comments only remain on site for 30 days and then if not responded to get pulled down.

Next he explained that a minor exception of PL getting posted to comment grid recently occurred, two PLs got revised and immediately released. He stated the first one was PL 25, revision 19. He stated this was conscious decision as they had been discussed at last meeting and followed up conducted by the industry chair and it was straight forward. Greg outlined how previous rev to PL 25, rev 18, was a large change and an overly drawn out process and he did feel that he wanted to get subject of change rev 19 out, due to the importance of timely release, and not once again bogged down with unrelated comments to the immediate subject of change. He outlined how rev 18 continued to grow in scope and became almost unyielding and confusing. Rev 19 change was simply and straight forward so it was immediately released.

He then stated the other PL was 114, Rudder Pedal Steering. He stated it was considered a safety issue that needed to immediately be resolved. He defended this position as being well coordinated and reviewed by FAA upper management and no room for discussion. He stated that this occasionally happen. He then stated another immediate change will be occurring to PL 128 that will affect five other PLs but deferred further comment as it is a separate agenda item, 88-10A. He concluded that these PL changes will not be posted on comment grid too.

Daryl Sheets (Net Jets) expressed concern over the new process of internal FAA review. He stated the more FAA gets accustom to this new decision making process the less industry input will become. Greg defended the new process was needed and indeed overdue. He stated industry has a ‘free hand’ in crafting PL and FAA oversight needs to be reinforced. Brief discussion was held on how industry coordination was had on rev 19 to PL 25. Daryl expressed that he hoped any substantive changes will continue to be worked with IG and be posted. Greg assured him FAA will not be arbitrary changing PLs. He then stated only in the exception case of an immediate safety issue will comment period be skipped.

Kevin Peters (FDX) stated that there was a problem with local FAA demanding immediate MEL revisions to incorporate each successive revision of PL 25. He stated with PL revision like rev 19 not going to comment and then being released without notice of it release operators are caught unaware of change. He reported that prior to release of PL 25, rev 18 his local FAA was demanding PL 25 changes also be incorporated verbatim. He stated that is not always doable and operators should be able to tailor definition to fit their fleet, type of operation, etc. He reported that this was amended by release of PL 25, rev 18 which incorporated new policy statement that operators may edit and tailor definitions.

He stated operators are not required to immediately incorporate all MMEL changes but per 8900 only more restrictive elements and then there is a prescribed time limit, 90 days, to get such material to FAA. He felt PL 25 should have similar guidance. Dave Burk (Aerodox) stated he has similar issue arise with FAA inspectors too. Greg stated Kevin should present a draft, rev 20, to PL 25.

Action Item: Kevin Peters (FDX)

A follow on discussion occurred regarding the new process of internal FAA review, development of Policy Letters (PLs):

Dennis Landry (ALPA) raised concern as to the level of internal FAA management attention Policy Letters (PLs) have been getting in recent times. He asked what has been driving this, and questioned if they are looking at the large body of PLs or just been driven by specific issues that bring attention to specific PLs. He stated he was attempting to determine if the work of MMEL IG was proactive enough.

George Ceffalo (AFS 240) stated that in the early years of MMEL IG industry had a free hand, things were 'under the radar' of FAA upper management but as time when by certain PL actions were requested to be brought to attention of management and thus FAA began to instill more oversight and hence PLs now are more closely being scrutinized. He predicted that PLs therefore will take longer and become fewer due to this increased higher level management visibility.

He went on to describe two different philosophies exist about purpose of PLs. One generally expressed by AEGs and the other from FAA Headquarters. The first that PL should in interim internal FAA process, the other a means for proactively gathering input from affected users but as these have started to get high level FAA management review, disparities have been discovered. He cited examples of PLs that were contradictory to FAA rules, preambles, etc. Greg Janosik re-enforced George's comments and concluded the process while it is now much more highly structured the intent is to provide safe sound relief.

Item remains OPEN.

88-06: PL 77, Cockpit and Instrument Lights, Proviso a) - "Not on Emergency Bus"

Objective: Clarify proviso a) so that it does not appear to prohibit any remaining individual light(s) from being located on an emergency bus.

Item Lead: Working Group

Discussion:

IG-86:

Bob Taylor raised concern over the current wording of proviso a) which, when combined with the lead-in sentence in the Remarks & Exceptions column reads "Individual lights may be inoperative provided remaining Lighting System lights are: a) Not on emergency bus". He raised the concern that this appears to infer that the remaining operative lights are not permitted to be emergency powered. He felt this was incorrect and needed to be re-written and clarified; the group agreed and a small work group was put together.

Working Group
Todd Schooler – Cessna
Dennis Landry – ALPA
Mike Baier – American Airlines
Eric Lesage – Airbus Americas

Action Item: Working Group – Draft new language for proviso a); coordinate with Greg Janosik to ensure it aligns with draft PL 63 R4 D3.

IG-87: (Rf. pl-77 r3)

Bob Taylor (US Airways) re-stated his comments from IG 86 regarding proviso a) that states 'not on emergency bus', leaves him with the impression that the remaining operative lights could not be on an emergency bus and subsequent to that via a workgroup decision, proviso a) was revised to address 'not required for an emergency procedure.' He stated this was posted as PL_R3. He then stated that this too had led to need to further clarification as lights can still be on an emergency bus but cannot be deferred if required by emergency procedure. Bob presented a new draft, R4_D1 which he stated he felt still misses the mark by not including term 'operative' when describing the remaining lights. Todd Schooler (Cessna), previous workgroup Lead, agreed that PL_R4 could be further cleaned up.

A Boeing representative present stated, in favor of revised draft R4, they have received inquiries as to what was intent of R3. Thierry Vandendorpe (EASA) asked how does an operator, at time of the deferral, know if the inoperative light is the one that is required for an emergency procedure. He gave an example how individual lamps within one light housing such as a dome light can be individually powered, one bulb/lamp by normal bus power and the other powered by emergency bus, which bulb needs to be available for successful completion of procedure? It was stated that the PL is a guideline of what is to be considered and it is up to individual AEG Chairmen to evaluate and fine tune the relief to the configuration of the aircraft system. Todd Schooler (Cessna) gave an explanation of Cessna design philosophy and concluded that is it up to each manufacturer to adequately show compliance to the certification requirement, and provide any necessary compliance data to the AEG Chairman. To this

point, Greg Janosik (AFS 240) asked the question, "Isn't this what the AEGs already do." The AEGs members present stated that is their job, and thus Greg questioned the need for the PL?

Members of the group defended the PL as valuable guidance for both industry and to AEG. Todd Schooler outlined how he knew of an operator who, using the guidance of PL, inappropriately deferred a cockpit indicator light. He stated that one of the Notes in the PL needs to be moved to proviso status to preclude this. He concluded guidance as currently drafted is thus a little unclear. Thierry (EASA) emphasized that their policy was only for area, background illumination and not for cockpit instrument lighting. Bob Taylor asked if group was OK if his R4_D1 was acceptable to go out for web comment, review.

Greg Janosik asked Bob to provide him with the draft; he stated before it goes out he wants an FAA review and tasked John Pinnow (FAA, SEA, AEG); Tom Hellman (AFS 330) to work with the Industry Lead, Todd Schooler, to ensure PL meets the needs of both manufacturers and FAA.

Workgroup volunteers:
Todd Schooler – Cessna (LEAD)
Dennis Landry – ALPA
Mike Baier – American Airlines
Eric Lesage – Airbus Americas
John Pinnow – FAA
Tom Helman – FAA

Item remains OPEN.

IG 88

CLOSED
Refer to agenda item 88-06b for discussion

88-06A: PL 77, Cockpit and Instrument Lights, Proviso a) "Not required for an emergency procedure"

Objective: Clarify that the PL is NOT intended to prohibit remaining individual lights from being required for an emergency procedure; it is the lights that are required for an emergency procedure that must be prohibited from being deferred. Also, replace missing DISCUSSION header, and limit discussion of lights to the subject of the PL.

Item Lead: Bob Taylor

Discussion: The concern raised at IG 86 was how the language in R2 incorrectly implies that the remaining operative lights are not permitted to be on an emergency bus. At that time the point was raised how manufacturers sometimes do power items not required to accomplish emergency procedures off an emergency bus if it's a convenient source of power, and that any change to PL 77 should also consider this point. PL 77 R3 issued July 5, 2012 did address this issue but in a much broader sense than the Cockpit and Instrument Lights addressed by this PL (i.e. "interior and exterior lighting used by maintenance and servicing personnel", but it did not address the original issue; the PL now implies that the remaining operative lights are not permitted to be required for an emergency procedure instead of the original not permitted to be powered by an emergency bus; both are incorrect.

IG-87: (Rf. pl-77 r4 d1)

Refer to minutes of agenda item 87-06

IG 88

Action- Bob Taylor
- Provided email response to comments

Document Title:	PL-77 R4 D2 (Inst Lites)
Summary:	Draft two
Document for Download:	Draft Document (MS Word) Draft Document Comment Grid (MS Word)
Comments Due:	10/09/2012

Item remains OPEN

Action- Eric Lesage (Airbus) Work Group Lead
- Provide Update
- Refer to 88-06A Bob Taylor provided email response to comments

Tim Kane (JetBlue, Industry Chair) opened discussion stating issue is in regards to cockpit and instrument lighting not on an emergency bus, or not required by an emergency procedure. He stated there was a point of confusion around this topic as each was addressed by separate PL drafts. PL_77_R4_D1 and PL_77_R4_D2.

He asked if either, Eric Lesage, or co-Lead Bob Taylor, had any comments. Bob stated how D1 was the initial PL and was posted. Eric, in later MMEL IG, when D1 was being discussed, stated Airbus position was that it not so much the power source but whether or not light(s) were required for successful accomplishment of emergency procedure, which lead to introduction of D2 and separate agenda item 88-06B.

Paul Nordstrom (Boeing) stated he thought the initial intent was to go with Bob's (D1) and Eric address Airbus' concerns via the comment grid. Similarly Bob stated he thought the intent was to allow D1 to go final and then Airbus re-open PL. Tim concluded the appropriate draft to pursue was D2. Comments were then reviewed. Todd Schooler (Cessna) commented that there is a misconception that any light powered by an emergency bus is also required for an emergency procedure. He stated manufacturers commonly place lights on emergency bus for convenience only. He stated that this misconception is commonly expressed by FAA inspectors. He stated intent of D2 is to give these non-essential lights relief. Dennis Landry (ALPA) stated they had no problems with the current draft as intent of PL is clear.

Don Reese and another member from American Airlines outlined how the current PL has been used in their latest job action. Dave Landry (ALPA) stated as that they make it clear to their members this is not something to be so used. Discussion then centered on the current PL provisos that states lighting configuration and intensity is acceptable to the flight crew. Discussion then moved to the fact that there are lights within housings that are powered by both normal and emergency power. Who is responsible to determine which lights are emergency powered and which is used in emergency procedure

Eric Lesage (Airbus) comments on FAA comment grid was reviewed and Eric outlined that the statement in PL that states FOEB should add restrictions that required emergency lights to be operative has caused confusion and he recommends it being removed as it leaves the illusion that all lights powered by emergency bus are to so restricted and that is not the case. Comment was again given that current draft should go final and then Airbus could re-open it. Greg Janosik (AFS 240) stated that was not happening. He stated group needs to accommodate Airbus concerns in current draft. Discussion then moved to fact that language in this PL potential confusing.

Eric restated the Airbus position that OEM can power some lights on the emergency bus but not all of them may be required for performance of an emergency procedure as some of them can be for convenience only. He stated they object to the statement in policy that requires FOEB chairman to impose restrictions for emergency lighting to be operative. Todd Schooler (Cessna) pointed out that the group should be careful the language imposed in PL 77 does not conflict with PL 63 which is also under revision.

Collin Hancock (EASA) spoke to their internal policy on their proviso that states "emergency lighting is operative." He states they place the burden of determine which lights used in an emergency procedure is powered by emergency power and then EASA revises MMEL by identifying the applicable light(s). Cessna and representative from Hawker Beechcraft stated they do likewise. Gene Hartman (FAA AEG LGB) stated that the statement FOEB Chairman must verify that the lighting relief granted is not required for an emergency procedure is placing an inappropriate burden on AEGs. Furthermore, he stated PL are intended for MMELs and the requirement to determine lights power sources is something he felt should be more appropriately addressed at the MEL level; operator and manufacturer. Numerous comments pro and con were given. Finally recommendation that workgroup continue to explore issue.

Todd Schooler (Cessna) (LEAD)
Mike Briar (AAL)
Eric Lesage (Airbus Amercias)
Bob Taylor (US Airways)
Ray Adams (Alaska)
Greg Janosik asked for special attention by AEGs on topic.

Item remains OPEN.

88-07: PL 24 Lavatory Fire Protection

Objective: Add relief for lavatory fire protection installed in excess of regulation (14 CFR 25.854), and establish a global change designation.

Item Leads: Darrel Sheets, Todd Schooler

Discussion:

IG-87: (Ref pl-024_r05_GC_d01)

Todd Schooler (Cessna) stated this PL is not in compliance with certification rules related to lavatory fire protection, 14 CFR 25-854, and similar situation applies to other CFRs, for related items of equipment, that all exempt application to aircraft with less than 20 seats. Plus he cited the lavatory door ashtray AD as another example of a regulation that exempts application to aircraft with less than 20 seats, but he reports that Inspectors are forcing all of these PL provisos into MMELs for small aircraft built to Part 25 and operated under Parts 91, 135, etc., and not just 121 operated aircraft. He stated correct application is to review the actual certification rule that underpins the PL guidance as the rule is more specific than the PL. Todd proposes revising the draft PL.

Group members in general questioned this fact that Part 25 rule exempts less than 20 seats and asked if operating rules did likewise. Todd reported not in all cases. Paul Nordstrom (Boeing) reported that he understood the purpose of the D category in PL was to provide a means of addressing equipment under MEL when it is not needed by the rule. Todd stated that he understood that it was the intent of the D category, but he again stated inspectors were not allowing it to be exercised that way, instead they insist only the C category relief be exercised. He was asked if his intent of revising the PL was to add that PL is not applicable to aircraft with less than 20 seats. He stated yes. It was mentioned by a group member that the IG should exercise care in citing certification rule requirements, as rules can change with time and the PL becomes out of sync with the rule. Todd agreed that rules can change, and he concluded with a statement that he knew that a workgroup was currently revising Part 23 certification rule.

Action Item: Todd Schooler to produce Draft 2

IG-88: (Ref pl-024_r05_GC_d01)

Action Item: Todd Schooler to produce Draft 2

- Provide update

Item remains OPEN

Todd Schooler (Cessna) requested to withdraw draft PL. He stated his Part 25 aircraft just do not have this systems, type equipment installed and hence he does not feel draft PL is necessary. Comment was raised about MMEL relief for lavatory waste receptacle in lavatory needing to be emptied. Paul Nordstrom (Boeing) brought up issue of FAA LGB AEG intent to pull relief for the lavatory waste receptacle from an MMEL as the AEG sees no authority that allows this relief as it, receptacle door, is required by certification, and AD speaks to it too.

Tom Atzert (UAL) questioned that comment stating it is the same old argument, can an MMEL provide relief for an item required by certification. He stated it been brought up numerous times, that it can provided an equivalent level of safety is achieved. The fact that the PL relief requires the lavatory door be closed and locked and thus not used then it is OK does not deter from intent of AD.

Kevin Peters (FDX) stated that this apparently was first raised in regard to another aircraft under LGB AEG control. Gene Hartman stated this was in reference to a Dash 8 aircraft that they, AEG, did not feel was appropriate, justifiable, as the proposal did contain any controls to ensure adequate safety assured such locking lavatory as already outlined. Paul stated he was referring an issue regarding MD-11 electronic FOEB were the MMEL currently carries lavatory waste receptacle relief. Gene Hartman stated he would address the issue with the MD-10/-11 FOEB Chairman.

Conversation when back to the previous meeting discussions of changes that were suggested, proposed at last MMEL IG 87, but after discussion it was determined that a draft two was not necessary.

Acton item: Gene Hartman (FAA AEG LGB) to follow up with FOEB Chairman.

Item CLOSED.

88-08: MMEL Supplements

Objective: Discuss MMEL supplements.

Item Leads: Todd Schooler

Discussion: Todd has requested time to discuss MMEL supplements.

IG-87: (No attachment)

Todd Schooler stated he needed to defer this item until later; he informed the group he had a sidebar meeting with FAA and it was agreed that a work paper needs to be drafted and submitted to FAA before this item is brought to the IG.

Item TABLED.

IG-88:

Action – Todd Schooler (Cessna) Provide update

Item remains OPEN

Todd Schooler (Cessna) stated operators who add equipment to aircraft by STCs need MMEL relief, yet due to complexity of many MMELs which cover many model variants of a given aircraft type the level of STC activity leads to continual petitions and MMELs are thus constantly being considered out of date. His recommendation was for consideration of a separate STC MMEL supplement document. He stated he felt that an STC supplement type process would allow for an STC holder to gain deferrable status for their equipment, applicable only to their particular aircraft variant(s), without opening up the entire MMEL FOEB process. He related this to the AFM and the AFM Supplement document as an example. He asked the group to consider the proposal.

Paul Nordstrom (Boeing) stated that a process similar to the one Todd was proposing has been done before, STC holders used to write into their STC documents what the MMEL relief should be and when the STC obtained approval, operators were treating it as approval of the MMEL too. FAA put a stop to that practice by creation of PL 109 which requires all MMEL proposed relief be submitted to AEGs and approved via the FOEB process. Todd stated he was unaware of this history

Discussion pursued on previous process. John McCormick (FDX) stated he was of the understanding that STC holders have the responsibility to provide the MMEL proposed relief as a part of STC development but then along with sending the STC documents to ACO for approval forward it to AEG for MMEL approval. John Pinnow (FAA AEG SEA) stated that whenever any STC is forwarded to his AEG office the chairman reviews it and if it contains MMEL proposal relief, they strike it out, as an STC supplement is not the proper means for obtaining MMEL relief.

Todd restated his vision what STC associated MMEL relief would not reside in the STC document but be an MMEL supplement that could be co-located on the FAA website along with the associated manufacturers MMEL. Collin Hancock (EASA) spoke in favor of Todd's proposing stating that is

essentially how EASA handles STC associated MMEL relief. They publish it separately form MMEL as they consider the MMEL as an OEM document. He stated the STC MMEL proposals go through the same AEG process to obtain approval as OEM MMEL proposals. Todd outlined another advantage to there being a separate STC MMEL supplement. He stated since all STC MMEL approved relief gets published in the MMEL, operators are constantly contacting the OEM requesting product support. This has be a point of contention with industry and manufacturers.

Roger Lien (Pinnacle) spoke up as not in favor of following the EASA model. Gene Hartman (FAA AEG LGB) stated that unlike his fellow AEG, John from Seattle, he is normally not aware of many STCs and relied heavily on the guidance found in PL 109. Finally, Greg Janosik (AFS 240) stated that this is not something that can adequately be addressed by issuance of an MMEL policy letter. He stated rather than be coming from the top it needs to be driven from the bottom. He instructed Todd to canvass the regional AEG offices and if enough AEG chairman like the idea then they can take to their management and eventually be proposed to FAA HDQ from the AEGs as a new process for incorporating STC material.

Todd stated he agreed with this approach and that agenda be therefore withdrawn.

Item CLOSED

88-09: Swapping Compatible Component Positions to Apply Minimum Equipment List Relief

Objective: To discuss an appropriate location (permanent home) for the information contained in the recently released N8900.192.

Item Leads: Tom Helman – FAA (AFS-330), Tom Atzert (industry co-lead)

Discussion:

IG-87: (Ref. n8900_192)

Tom Hellman (AFS 330) brought up discussion on where this notice guidance should be placed, as a separate Policy Letter or as a MMEL definition? He stated it needs to be published in a more permanent place than a Notice. Tom Atzert (UAL) reported that a previous industry member of IG, Mark Lopez, is now working in AFS 330 and he informed Tom of the implementation of the current Notice. Tom initial reaction was that such action only institutionalizes a long standing industry practice, but then he felt that standard practices information more appropriately should reside in an operators General Maintenance Manual / Maintenance program and not in MMEL. He outlined how it would need to be published in every aircraft type MEL, and that this could lead to differences and even inadvertent omissions from one MEL to another and thus lack of standard application. He concluded if it is written into a PL, or definition, or in 8900 it will need to be careful crafted to give operator flexibility to handle this practice.

Discussion continued on appropriate place for this guidance and it was stated that PL is probably not the place but for visibility, benefit to FAA Inspectors, it probably should reside in 8900.1 An AEG chairman from Seattle AEG stated MEL should only be used to address dispatch status of an airplane and should not contain maintenance theology. Tim Kane (JetBlue) stated that this Notice has triggered a lot of discussion between operators and their FAA CMUs over maintenance practices contained in MELs. He reported that only a very small percentage of MEL items contain specific statements that approve swapping. He stated he agreed that the appropriate place for this practice is for it to be listed in the company GMM.

John McCormick (FedEx) presented the case that such action should only be approved if it is addressed in MMEL at the proviso level. Group in general disagreed. Todd Schooler (Cessna) outlined how the manufacturer is not going to spell out maintenance methodology of how a proviso action is to be accomplished. A proviso is a condition that must be met. He stated troubleshooting and other practices are not detailed in MMEL.

Paul Nordstrom (Boeing) summarized that using a PL had been deemed inappropriate by the group, nor should it be a proviso, so that leaves only 8900.1 as the vehicle to carry this information. Tom Atzert (UAL) stated he had no objection if it to be placed in 8900.1 but re-stressed his earlier point that it needs to be administrated at the operator level by being a part of their GMM. This approach appeared to be agreed to my majority of the group present. The question was raised as to what are the problems that lead to the FAA issuing the 8900.192 Notice? Tom Atzert reported he had been informed that a number of field inspectors had observed the practice of swapping parts been performed and not finding any written guidance that states it is an acceptable practice. This lead to their requests for clarification, direction from AFS 330.

88-09: Swapping Compatible Component Positions to Apply Minimum Equipment List Relief (Continued)

Greg Janosik (AFS 240) concluded that this inspector guidance and hence must go into 8900.1. He stated it could not be accommodated in the current 8900 re-write and he was unsure how and when they will be able to publish it in 8900. Meanwhile it was agreed that industry should have some input in the drafting of paragraphs to be placed in 8900. Joe White (A4A) questioned if it would better handled as an Advisory Circular.

Todd Schooler (Cessna) chimed in with related information regarding an EASA NPA (Notice of Proposed Amendment) document he recently received from EASA. It states EASA plans to impose a requirement that that if an operator swaps parts within an airframe to make an MEL deferral then in order to return the aircraft to service they must first perform Check Flight. He stated if FAA was going to place the 8900.192 Notice information into either 8900, or into an AC, then FAA should take into account the impact of this EASA action.

The EASA representative present, Thierry Vandendorpe, clarified that intent of the NPA is to legalize a practice of the performance of in-flight troubleshooting. He clarified further by giving an example of a fire loop deferral. He stated in some cases the aircraft needs to be placed into its operational environment to validate certain conditions that he states cannot be reliably simulated on ground. He stated he works within the MMEL department at EASA and they have not been approached by people developing this NPA regarding imposing this as a procedure in MMEL.

He concluded by stated he felt that this was therefore it is a related topic but he stressed it was not made to purpose to address the practice of MEL part swapping. That said, he then stated EASA has been approached by industry on the subject MEL part swapping but had not yet reached a position. He stated concern is centered on when part swapping mechanics are installing a known piece of equipment that has failed He continued stating they are wangling with how to apply a waiver to installing a failed part and allow aircraft to be still dispatched.

Boeing and the Cessna representative debated the need to conduct check flights when installing known failed part. Paul (Boeing) was adamant that they, Boeing, did not have any procedures requiring a functional check flights. Finally, Industry Chairman asked it this is to be pursued as guidance in 8900 or an AC then a workgroup should be assigned to work on drafts.

Workgroup volunteers:
Tom Helman – FAA (LEAD)
Tom Atzert – United (Co-LEAD)
George Roberts – Delta
Mike Evanoff – Virgin America
Mike Baier – American
Todd Schooler – Cessna
Tim Kane- JetBlue
Nick Petty –Executive jet
Darrell Sheets – Net Jets

(Continued)

88-09: Swapping Compatible Component Positions to Apply Minimum Equipment List Relief (Continued)

IG 88 (See File)

Action – Tom Helman/Tom Atzert Work Group Leads

- Provide update
- Work group discussed subject on conference call October 25, 2012.
- Tim Kane (JetBlue) has the action to draft a revision to the notice for the workgroup.
- Todd Schooler (Cessna) identified possible candidate AC, AC 20-62E

Item remains OPEN

Tom Helman (AFS 330) not present for meeting. Tim Kane (JetBlue / Industry Chair) asked if co-lead had any comment. Tim then identified an old AC, AC 20-62E that was brought to the table during a workgroup meeting. AC topic is "Eligibility, Quality and Identification of Aeronautical Replacement Parts" that apparently provides guidance of the suitability of swapping parts within an airframe. Todd Schooler outlined purpose of AC and how it could be used in the MMEL scenario. He described how once troubleshooting has determined what has failed, the part in question can be switched between positions to see if the fault follows, confirming the failure and then MEL'ing it. He stated how language from this AC could be used to support that this is a common industry practice.

Tim Kane asked if this meant the AC would need revision. Todd stated yes, and Tim responded that AC is advisory guidance only and asked how it could be used. He asked co-lead, Tom Atzert (UAL) for opinion. Tom spoke to the consensus of the workgroup that re-establishment of an AC would be the best vehicle for getting information out to the industry on how to swap parts between positions on an aircraft. He stated it would be an acceptable means by which an operator could use to justify publishing a parts swapping procedure in their GMM. Tom then stated he has conferred with A4A and AFS 330 and there appeared to be acceptance that the AC would be a good solution.

Tom referred to the AFS 330 Notice that came out a couple months on topic of swapping parts, stating that it represented a notion of acceptance within FAA of this practice, yet the content of the Notice was not written in manner that well received by industry. He stated their plan is to get revised language into the Notice, re-issue the Notice and while it out there work on revising the AC and hopefully getting it approved during the period that Notice is active.

Greg Janosik (AFS 240) stated he agree with the AC approach. He also stated the process needs to get written into the AFS 330 section of Inspector Handbook, 8900.1. Tim Kane stated that during the conference call Tom Helman was agreeable to revision of the Notice and that he, Tim, committed to drafting the necessary changes. Greg Janosik cautioned that while industry input is valued it is not in the preview of industry to write FAA inspector guidance but he stated industry participation in this issue is welcomed, but final wording will be decided by FAA.

Discussion of the misunderstanding surrounding in poor choice of wording in initial Notice was discussed. Greg stated that unfortunately his department did see the Notice prior to it issuance but had it been they may have been able to advise AFS 330 that requiring the part swapping procedure be published within each applicable MEL item was probably not the approach to take. Needless to say he

concluded that revising Notice, updating AC, and then incorporation into 8900 was the right path to take. He stated industry needs to coordinate closely with Tom (AFS 330) to get this done in timely manner as a Notice can only remain active for 12 months.

Action Item: Current workgroup / Tom Helman (AFS 330)

Item remains OPEN

88.10: CFR 382.63 - What are the requirements for accessible lavatories?

Objective: The Deputy Assistant General Counsel, Office of Aviation Enforcement and Proceedings, U.S. Department of Transportation is scheduled to attend and speak to the group on the issue.

Item Lead: Greg Janosik

Discussion: Related to agenda item 86-11A PL 128 Lavatory Call System – PL Comparison.

IG 86:

Greg Janosik introduced Anne Bechdolt of the FAA Chief Counsel's office, and DOT Deputy Assistant General Counsel Blane Workie who spoke to issue of DOT Part 382 rule and PL128. Blane began by stating her organization works closely with FAA to ensure operators are in compliance with the Air Carrier Access Act implementation regulation CFR Part 382. She then outlined the scope of PL 128 regarding the requirement to maintain a wheelchair accessible lavatory and certain associated equipment such as call light, grab handle(s), and not being able to place these on an NEF list. Blane stated her agency is aware of the concerns that operators have on this subject and are open to a review on the feasibility of extended relief and whether relief should be NEF or MEL, and if MEL, what category should be used.

Anne then echoed Blane's comment that DOT and FAA are revisiting this PL issue to determine if relief is feasible, and to what extent relief should be provided. She stated the outcome of their deliberations will be presented at the August MMEL IG. They want to hear the concerns of the industry group members present so those concerns can then be taken in account during their review. Several members questioned the determination of whether or not these items will be deemed to be NEF, or MEL and associated repair category. Anne restated that all this is under re-evaluation. It was asked if this FAA/DOT review board would allow an industry group advocate to attend and advise them on industry concerns. Anne stated that is the purpose of her's and Blane's attendance at this IG.

Paul Nordstrom (Boeing) requested they ensure that their decision will be based upon maintenance of an acceptable level of safety, the benchmark for MMEL relief.; he stated that the act of even considering the lavatories as being the subject of MEL does not make sense as they are not safety of flight items. Yet he conceded that under current regulations it is in the best interest of a carrier to consider maintaining the lavatory. He then made the analogy that high rise buildings contain multiple handicap facilities but they do not shut down an entire building when one of them becomes inoperative. He stressed it is not the intent of airlines to discriminate but maintain the highest level of service for everybody with minimal impact on any single entity.

Blane countered with the objective of the DOT is to ensure compliance with accessibility and not so much as with the vehicle used to maintain it, i.e. NEF or MEL. Instead they have separate authority from FAA to assess if violations have occurred and whether or not fines are warranted, indicating that the fine is $27,500 for each violation. She then stressed the balance of considering flight safety versus passenger safety and that there is a safety implication related to an inoperative call light or lack of availability of grab bars, etc.

88-10. CFR 382.63 - What are the requirements for accessible lavatories? (Continued)

Candice Kolander (AFA) stated that the impact of having inoperative handicap lavatory falls upon the flight attendant and for the benefit of her represented group it is preferred that the lavatory remain in MEL and not NEF. Tim Kane (JetBlue) stated that he felt that there is a degree of misunderstanding as to the level of control of NEF versus MEL. Some discussion was held on the appropriateness of NEF versus MEL. Anne spoke up and stated that from her department communications with operators it appears that since inception of PL 128 the time taken to bring an inoperative lavatory back to service has become shorter, from an average of 4-7 to 3 days. She stated thus there is a difference as to what program is used to fix the item, NEF or MEL.

Some group members expressed concern about the accessible lavatory been treated differently, more restrictive than other lavatories. It was stated that Legal should only consider if it is reasonable to give industry relief and what components of lav need to be included. Anne stated she keeps hearing the group state 'and give relief for some period of time.' Anne stated Legal needed more feedback on what the group felt is an acceptable amount of 'some time.' She asked is it 3 days or 10 days? Don Reese (AAL) questioned why a wheel chair accessible lavatory must be made available when it is legally permissible to MEL, depending on route and flight time, multiple, even all, the other regular lavatories? Another member stated his people based on reading of PL come to different conclusions of what must be MEL'ed and what not. Anne stated PL 128 as written only addresses the accessible lavatory. Then she stated from what her department has heard from carrier's, leads them to conclude that interpretation and thus application of PL has not been consistent.

Anne then cautioned the group that there are other things addressed in Part 382 that are a part of the handicap accessibility requirements beside just the lavatory, she mentioned aisle armrest and wheelchair stowage space as examples. She stated that as they further study the issue they will taking all these other factors into account. A group member stated there is too much ambiguity when the PL uses terms such as 'and other controls' to describe the scope of components that DOT wants carrier's to make accessible to the handicapped. He stated it is unfair to state enforcement will be pursued when he has used best faith to correctly interpret the requirements.

Blane stated they have a website **http://airconsumer.ost.dot.gov/SA_Disability.htm** that has several documents that give guidelines on accessible lavatory requirements. She stated that these documents are not so much for FAA use but DOT's. She then stated it is standard convention in legal documents to use such 'catch all' statements as 'and other controls' because future circumstances and requirements can change and everything cannot always be anticipated on initial writing of a rule. She then stated as far as accessing whether a civil penalty is appropriate they look at numerous factors such as how much effort was taken to restore the equipment, whether or not there is history of non-compliance, passenger complaint filed, etc.

Tom Atzert (UAL) commented that there have been meetings on the topic in the past where not all stakeholders were present. He stated it is imperative that from now on we all need to come together to achieve a workable solution. He then stressed that while appropriateness of use of NEF versus MEL has been brought into question, the NEF is a part of the MEL and has been a successful tool. He asked for details as to how many fines have been levied? She stated she did not have statistics to give. She stated that due to limited staffing they do not have the ability to actively monitor operators so they are reliant

88-10. CFR 382.63 - What are the requirements for accessible lavatories? (Continued)

on FAA safety inspectors to provide details. Plus due to lack of manpower they only open an investigation if a significant amount complaints are received.
Final comment was made by Tom that A4A has developed a PowerPoint presentation that demonstrated that prior to PL 128 the NEF program was successfully used to address the lavatory issue and that it addressed, and met the spirit of intent of the Part 382 rule. He offered it to DOT for their review. Candice Kolander (AFA) asked to be provided a copy of this presentation.

(Ref. meeting minutes bookmark A4A – MAINTAINING CFR 382 and non-382 Like Items.ppt. Note: This item was submitted to DOT with A4A branding on March 30, 2012).

IG 87: (Ref. A4A-Maintaining CFR 382 and non-382 Like Items)

IG Chairman's Note – Subsequent to IG 86 it was reported that Anne Bechdolt has left the FAA Chief Counsel's office for other duties.

Action item: Greg Janosik – Update the IG regarding the status of CFR 382 and PL 128.

FAA Legal representative, Dean Griffith, who is replacing Anne Bechdolt (FAA Chief Counsel's office), stated no updates as of this meeting. He stated they are to meet on this topic third week of August and hopefully some outcome will be available for next meeting.

Doug Mullen (A4A, Assistant General Counsel) spoke to issue of FAA enforcing CFR 382. He stated when looking into revising PLs the group needs to be aware of the authority within the rule(s) regarding the authority of FAA to enforce this rule's requirements. He stated per A4A's reading of the statutes and delegated authority to implement or enforce this rule lies solely with the DOT. Thus he thinks the efforts by FAA to work with DOT is noteworthy, i.e., FAA inspectors to observe and report finding to DOT is a good practice. But he stated FAA should not be using the CFR 382 as a means to change policy or influence changes to industry practices as that constitutes an attempt to enforce rule requirements; he re-stated FAA does not have that delegated authority. He cited two specific CFRs 1.47 and 1.74 that speak to Delegations to FAA Administrator and Delegations to the Under Secretary for Transportation. Doug concluded with statement that FAA should therefore remove all references to CFR 382 from PLs as 128, 116, 104, 25, and 83, etc. FAA Legal representative stated they will take into account both issues raised, jurisdictions and PL inclusion, under consideration.

Item remains OPEN.

IG 88

Item Lead: Greg Janosik (FAA)

- Provide update

Item remains OPEN

Greg Janosik (AFS 240) stated that PL 128 has been withdrawn from active PL list. He introduced Dean Griffith (FAA Legal Chief Counsel Office) who stated that as a consequence to an A4A legal challenge

over jurisdiction, enforcement of DOT rules residing with DOD, not FAA, thus the PL and all associated changes related to PL128 are to be undone (removal all references to CFR 382 from PLs as 09, 116, 104, 25, and 83). He stated FAA intends to treat wheel chair accessible lavatories as any other non-accessible lavatories, basically to be treated as NEF items. Dean stated DOT intends to communicate this policy change to all affected air carriers. He stated they still expect air carriers to continue to comply with Air Carrier Access Act.

Greg re-confirmed that changes to other PL affected by introduction of PL 128 are to undone and instead of going to comment grid will be immediately released. He states at same time a Notice to Field Inspectors will released notifying air carrier of immediate change. He stressed that the impact is only against operators of large multiple aisle aircraft operated under Part 121. Tom Atzert (UAL) requested this Notice be written in a manner that operators are expected to make immediate MEL revisions. Greg stated the timing will have to be coordinated with AEGs, but something like 180 days or next FOEB.

Discussion on if this agenda item is to be closed, and if so if another item opened for tracking purpose, ensuring group is informed of progress in revising the affected PLs, etc.

OPEN new item for update

88-10A. PL 128 Lavatory Call System – PL Comparison

Objective: Review existing PLs, DOT Rule, and CFR 382 requirements to determine that equipment addressed by PL 128 is already adequately addressed under other PLs as Category C relief; then either revise PL 128 to a C Repair Category, or cancel PL 128 entirely.

Item Lead: Workgroup - Tom Atzert (UAL), George Roberts (DAL), DK Deaderick (FAA AFS 220), Mike Bianchi (A4A), Bob Taylor (USA)

Discussion: After much back and forth, point, counter point discussion at IG 85 regarding PL 128 it was determined Agenda Item 85-09* should be closed and a new item (this item) opened to address the findings of the working group as stated in the Objective above.

*Note - Agenda Item 85-09 immediately follows this item in the IG 86 agenda for historical reference.

Action item: Working Group

IG 86: (Ref. PL 128 R1)

Please refer to previous agenda item 86-11 minutes.

IG 86-11A will be held OPEN as a placeholder.

IG 87: (No attachment)

Action item: Working Group

No action awaiting outcome of CFR 382.63 item (agenda 87-11)

IG 88:

- Renumbered 88-10
- Pending action on agenda item 88-10

Same topic as agenda item 88-10.

Item CLOSED.

88-11. Clarification regarding what MMEL definitions are required in the Operator's MEL

Objective: Propose definition language for all MMELs

Item Lead: Todd Schooler - Cessna

Discussion: Proposed DEFINITIONS language for all MMELs to clarify the how to determine what definitions are required in an operators MEL and to allow for additional definitions to be inserted if desired:

- CLOSE agenda item 87-12 for PL 25_R18
- OPEN new agenda item for PL 25_R19.

Action (TBD)

Todd Schooler provide update

Item remains OPEN

Tim Kane (JetBlue / Industry Chair) outlined the previous meeting decision to close agenda item 87-11 as rev 18 has been released in favor of opening a new agenda item for rev 19 but FAA released rev 19 without notification or comment period (as spoken to in minutes to agenda item 88-05). Kevin Peters (FDX) asked if FAA would have any objection to re-opening PL 25 with a new revision to address an ongoing problematic issue with FAA Field Inspectors .He outlined how they would demand the company update the company MEL immediately upon their awareness of a new revision release.

He described how upon release of rev 18 they withheld approvals of company MELs under their review for the express purpose of forcing immediate adoption of the PL25_rev 18 changes. The company complied only to have relief withheld again due to the unanticipated release of rev 19. He stated immediate incorporation of PL25 revisions in his opinion is not necessary. He supported this with the fact the FAA 8900.1 gives an operator 90 days to incorporate more restrictive MMEL relief and thus some form allowance should be afforded an operator for incorporation of master definitions.

Greg Janosik (AFS 240) stated he was supportive and recommended Kevin provide a draft rev 20 with his proposal. He stated the internal review of rewrite of Vol 4 / Ch 4 is taking way longer than planned and such an issue he believes will be resolved with release of the rewrite. Kevin stated he will work up a draft. It was agreed to close this agenda item and re-open with another one for Kevin's rev 20.

Item CLOSED.

88-12. PL-121 (EFB) Electronic Flight Bag

Objective: Review PL 121

Item Lead: Gene Hartmann - LGB AEG

Discussion: Gene reports PL 121 "is somewhat out of date due to new rev b to 120-76".

IG-87: (No attachment)

Gene Hartman (FAA LGB AEG) opened with comment that PL 121 conflicts with the latest revision to AC 120-76 (i.e. revision B). He stated that the actions described in the PL as responsibilities of the AEG were in accordance with the initial AC but are no longer required by the latest version of the AC. He suggests the PL be pulled in line with the latest AC. A working group was suggested. Tom Atzert raised the question if the intent is to update the discussion text and/or sample provisos. Gene indicated his intent was to revise the Discussion section only; however, Todd Schooler (Cessna) stated in light of the advancement in the equipment technology both are appropriate subject areas for review and possible change. EASA representative, Thierry Vandendorpe, stated that in light of the fact that EFBs are taking on more importance as a substitute for paper manuals that EASA has become more concerned with equipment redundancy issues. He explained that this is not adequately addressed in the current PL.

Workgroup volunteers:
Gene Hartman – FAA LGB AEG (LEAD)
John McCormick – Fed Ex
Todd Schooler – Cessna
Bryan Watson – FAA SEA AEG
Thierry Vandendorpe (EASA), in name of regulatory harmonization, volunteered to exchange information with the FAA assigned workgroup.

Item remains OPEN.

IG 88

Action - Gene Hartman / Work group provide update

- Kevin Peters has additional considerations
  PL 121 Policy currently states "This policy letter specifically addresses relief for Class 3 EFBs and mounting devices, data connectivity, and power connections associated with Class 1, and 2 EFBs." I want to expand upon this to state:

  "This policy letter specifically addresses relief for Class 3 EFBs and mounting devices, data connectivity, and power connections associated with Class 1, and 2 EFBs as these are the only portions of the system that impact airworthiness (Ref: AC-120-76B). All other ancillary functions such as the ability to print, sync and send between devices, and availability of other Type 1 applications are to be considered Not Essential for Flight and are to be listed under NEF guidelines."

Item remains OPEN

Gene Hartman (FAA AEG LGB) stated the issue with his AEG workgroup is in regards to concern that content of PL matches the requirements as spelt out in the AC 120-76B. He stated he sees nothing in conflict but his fellow AEG members have taken issue that the PL includes a Note that states, "Any function that operates normally may be used." They are concerned that users of EFB may not be able to adequately make such a determination and thus the Note should be removed. He conceded that this Note is a MMEL standard used within several automated systems such as Autopilots.

Kevin Peters expressed concern that as the PL matches AC it only lists those sub-items that are per AC the ones that have a potential impact on airworthiness, mounting devices, power and data connectivity. He stated that he has been requested to open discussion on whether or it would possible to open PL for inclusion of lessor items, functions that he referred as non-essential items such as Sync-Send and Print Button functions. He reported that on a particular fleet at his company mechanics have been deactivating the entire EFBs when these other functions are discovered to be inoperative. He suggested since AC clearly only defines that only the existing three sub-items are related to airworthiness thus these additional functions *could be* considered as non-essential and treated as NEF items.

This was soundly disputed as this is the purpose of the Note regarding functions that operate normally may be used. Todd Schooler (Cessna) raised a concern over Gene's comment that the Note may be potentially being considered for removal. He outlined how their AEG (Kansas City) interprets that the presentation of ships own position on the front instrument panel therefore make the Collins Pro Line 21 system a class 3 EFB device. He gave example how if that was to be the case he would argue in favor of retention of the Note. Gene clarified that the ability to display ships owns position is what differentiates a class 2 from class 3 EFB. Conversation pursued in favor of retention of Note.

Gene's next point was that he could see a class 2 device could to be treated as an NEF item. Tom Atzert (UAL) stated it depends if it assigned to the aircraft, then yes, but if assigned to the crew member, then no, as it should never be written up in logbook, but handled administratively, procedure outlined in FOM, etc. Finally, Gene made this third point, that the AC was written before the EFB were widely used, understood and he felt it places burdens on AEGs not warranted. He concluded that he understood the Note is important and he felt no further issue with it should surface regarding its removal.

Discussion went back to Kevin's suggestion to place text in PL that allows other functions of EFBs to be treated as NEF item. It was not received well and withdrawn but not before it was stated by members of the group that what Kevin reported, that mechanics were not finding ancillary functions listed in MEL and thus disabling the entire EFB was a local training issue. PL / MMEL do not carry (M) nor direct EFBs to be deactivated.

NOTE: While FAA in general was non-committal during this discussion the topic of deferring sub-components of a system as NEF when the higher assembly is an MMEL item was later discussed at length in agenda item 88-18.

Item CLOSED.

88-13. PL-98, Navigation Databases

Objective: Modify current PL MMEL provisos by removal of proviso b).

Item Lead: John McCormick (Fed-X)

Discussion: A current navigation database for an FMS/INS aircraft provides the capability for an aircraft to fly point to point (waypoint to waypoint) without being dependent on ground-based Navaids as a back-up navigation source (assuming no operational restrictions on the route being flown, e.g., DME/DME or GPS update). If the database is not current, but a procedure is established for verifying the accuracy of the waypoints being used, as is required per current Proviso "a)" that outlines the requirement of verifying the waypoints (Navigation Fixes), the aircraft will navigate with the exact same accuracy as an aircraft with a current database.

Current Proviso "b)" seems to imply that ground based Navigation Facilities are required to be used for the enroute portion of flight. The use of such facilities is not necessary if all Navigation Fixes are verified to be valid for enroute operations using available aeronautical charts (as is already directed by proviso a). I believe that proviso "b)", as written, should be deleted. If a ground based Navigation Facility is "required" for any particular operation, then current practices require that its status be checked through the Notam system (standard operational procedure). Under this strict interpretation that ground navigation facilities are to be used, aircraft would be restricted to filing standard domestic Airways and not able to operate on oceanic, polar or RNAV routes, or any other operator defined custom routes?

As a minimum, the intent of proviso "b" needs to be clarified, and the wording of the proviso revised.

IG-79:

Meeting mini-meeting conducted on August 19, by Terry Pearsall from AFS 350. Terry to adjust latest PL 98 to include manually tuning approach aids, then post for comments. Discussed were effects on the following operations: RNP 10, RNP 4, RNAV 2, RNAV 1, RNP 0.3 and RNP AR. No SIDs or STARS are allowed with out of date nav data base.

IG-80:
Pete Neff tried obtaining the latest draft PL-98 from Terry Pearsall.

IG-81:
Bob Davis update – FAA is working on this internally. John McCormick suggested the MMEL IG working group continue to be involved.

IG-82:

Bob Davis (AFS 260) opened the discussion with reports they are negotiating with charting world to develop charting standards to eliminate operator concerns with this PL.

88-13. PL-98, Navigation Databases (Continued)

Pete Neff added that the Air Nav committee is evaluating enroute Nav Aids that are currently re-named and published if moved >5 miles will be choked down to movement > 1 mile. Discussion on approach limits discussed. John McCormick expressed that he is concerned that the alternate procedure approach

already placed in draft PL 98 is not removed. Pete Neff stated they are concerned that if the US nav data limits are changed how that may dovetail into foreign requirements? Part 91/135 operators present who operate worldwide stated concern that PL 98 wording currently does not impact them. If PL-98 gets a GC header and C category relief it will negatively impact them. Pete Neff states FAA will entertain breaking PL 98 out into several versions by Part of operations, 91, 135, 121, etc.

Finally, John McCormick (FedEx) stressed the need to preserve distinction between aircraft that can be flown by charts without FMS versus those that must be flown with FMS (doing otherwise presents a risk).

Action item: FAA 260, Lead: Terry Pearsall

IG 83:

FAA reported current status on the Air Nav committee that location movement of more than a mile of a nav aid will result in a name change and charting update has been checked with ICAO guidance and is found to be acceptable. Dennis Landry questioned the status of the latest version of Policy Letter guidance (PL 98_D10) that he stated it is the version that ALPA upper management finds acceptable and what he referred to as the draft that represents the industry consensus now appears to be languishing, awaiting final FAA acceptance and no action? He reports it is now five years since the initial drafts of this PL.

Todd Schooler (Cessna) at this point raised the objection, on behalf of the private owners / national biz jet community, to the imposition of a C category. Todd contented that the current version of PL is only suitable for large aircraft, Part 121 operators, but does not meet the needs of the general aviation aircraft that have the equipment (FMS) but for which it is not necessarily required by certification, and he gave certain examples of how it was too restrictive. Dennis objected to any suggestion of less restrictive category and argued that if a private operator is flying with an out-of-date nav data base because they do not chose to pay for a subscription to navigation service provider, then they are at minimum in violation of current MMEL and more. Todd re-stated that there is no requirement for them to do so.

Pete Neff (AFS 240) re-iterated that after confirming the adequacy of using backup current aeronautical charts with the new decision to choke the movement of nav aid movement down to < one mile versus previous < 5 miles that the current draft is acceptable. Pete also countered that FAA could 'choke' down the PL draft even further to delineate requirements such as VMC only capability when FMC is inoperative, etc., for those GA type aircraft. Dennis, supported by John McCormick (FDX), expressed that they felt if a GA jet have this equipment, are flying RNAV, and operating in modern day airspace, they should be complying with the same standards. Pete again suggested that FAA could break the PL down to different relief of each Part, 121, 135, 91, etc., that would allow for different provisions, repair categories. Dennis then expounded upon how any further changes risk 'backlash' from his people at ALPA National. Todd retorted that maintaining the C category would invite equal backlash from the NBAA, GAMA owners / operators.

88-13. PL-98, Navigation Databases (Continued)

Discussion then moved to the draft PL wording. Numerous comments then were raised as to the appropriateness of draft NOTES 1 & 2, plus the citing of 14 CFR 91.503 in NOTE 2. Dennis defended the NOTES as being purposely designed to ensure aircraft can be operating under the new 'NextGen' rules and will have the tools to do so safely. Discussion also centered on the appropriateness of citing specific a 14 CFR in the NOTE 2. Suggestion was finally made that draft to be posted for comments and the group allow the industry at large to comment on these issues.

At this point Todd re-surfaced the fact that there is no legal requirement for GA aircraft to have FMS and / or maintain it. Greg Janosik countered that there is AC 90-100 and other references specify that you must have a current onboard FMC database for terminal enroute area operations. Todd then objected that the PL 98 draft is directed towards large turbine multi-engine aircraft and will be ignored by the GA single engine operators. Last of all, the only agreement was to post draft 10 for comment.

Item remains OPEN.

IG 84:

Greg Janosik stated that he felt this was going nowhere as drafted and posted. He commented on the lack of comments this draft has garnered. He stated in its present form the draft did not represent the substance of what has been recently discussed on this topic. He inquired who the Lead is, the answer given was FAA. Greg rejected that position and re-iterated that he could not adequately address what the problem was from industry's perspective. He charged the committee to re-establish a working group to re-formulate industry's position on the PL. John McCormick (FDX) was assigned as Lead. Sub-group members chosen were Tim Kane (Jet Blue), Todd Schooler (Cessna), Dennis Landry (ALPA) and Scott Hofstra (UPS).

Item remains OPEN.

IG 85: (No attachment)

John McCormick (FDX) outlined some background to current status, five years in draft phase, on NavDB Currency. He presented his reworked draft outlining changes, the first of which was an answer to how the workload issue of verifying route data. The draft listed some means by which verification can be achieved by alternate means such as dispatch organizations, or dispatch type organizations in conjunction with the pilot, or by the pilot only. He spoke at length to the means of validating versus verifying the data but ultimately stated that if it cannot be verified it should not be used. He reported there was several different ways to verify the data. He listed several advisory circulars (ACs) that talk to a manual verification. He then outlined how there are existing software applications that can compare NavDBs and provide user with a full, detailed report of changes, additions and/or deletions in the new NavDB data. He reported that while the methods to verify data are different and not all operators can use the same process it does not matter only that they if they want to use the data they must develop a process to verify it.

John mentioned an exception for RNP AR (SAAAR), AC 91-101A, states you cannot have an out of date database, period. He mentioned that it has been demonstrated that the wrong database can be loaded

88-13. PL-98, Navigation Databases (Continued)

on an aircraft and that a database can be corrupted. He pointed out a note in his draft that this relief is strictly to be used for out of currency issue and not other issues. He then explained how on some aircraft the information in the database is used for auto tuning of the navigation radios and presented provisos for this condition which began with basic proviso that for aircraft with database out of currency that navigation radios are manually tuned and identified (required for airplanes which automatically tune based upon data from FMS Navigation database). He then mentioned how consensus was reached with his work group teleconference that PL could have two basic levels of relief for NavDB out of currency:

1. Conventional Procedures only: the operator cannot fly RNAV procedures, and must file and fly conventional NAVAID procedures.
2. Limited RNAV (non-AR) Procedures provided alternate procedures are established, to verify data has not changed for the flight's operation.

John then re-stressed that if you are going to use the out of currency database then the data for the planned operation needs to be verified. He asked if the group was comfortable with that assumption. Numerous concerns from group and a minor degree of discussion on auto tune capability within industry occurred. It was agreed that based upon this consideration this proviso may need to be deleted from draft. John's next point was that if data for route is verified then there should be no problem operating aircraft safely with an out of date database. This lead to a counter from an individual in group that when a diversion is in order that portion of database potentially has not be validated and could place undue workload on pilot at critical point of time. This was countered with comment that the aircraft dispatcher should have checked all alternates with the intended route of flight or the approved procedure that the operator comes up in order to take this relief should account for this, he stressed we should not get locked into how individual operators handle this. This was debated at some length.

Next the notes 1 and 2 in remarks and exception column of John's draft were presented. The first which list references to ACs that operators should consult in development of their procedures. It was decided that a more generic description of suitable reference material would be better. The second was critiqued and too wordy and overly laden with regulatory guidance and it was suggested that this information should be moved to the PL discussion block and Pete Neff suggested a reference section of PL for this information.

Next the second mode of relief was presented that states may be inoperative if RNAV (RNP) AR is not to be flown. This mode of relief is intended to address those operators who chose not to validate the data or operate with a current subscription service to a service provider, etc. Bottomline to draft, if they want to operate in advanced "NextGen" airspace an operator must have a procedure to validate the navdata base and if you don't check the database you don't get to play.

88-13. PL-98, Navigation Databases (Continued)

IG 86: (Ref. PL 98 R1 D10)

As of 03-27-12 PL 98 R1 D10 remained posted with comments due by 04-20-12.

John McCormick (FDX) opened the discussion stating he thought that since there is no industry comment on PL98_R1_D10 it should be acceptable; Greg Janosik (AFS 260) disagreed stating he had several issues with draft PL 98. He began by stating that the work done to date has been outstanding, and then offered a PowerPoint to illustrate his concerns, the first being the repair category "C", the second being the minimum required for dispatch is 0 (Ref. meeting minutes bookmark "Janosik – PL 98 Issues.pptx"). . He then presented MEL CFRs, 91.213, 121.628, 125.201, 129.14 and 135.179 which are the CFRs that authorize an operator to have an MEL. He asked where in these CFRs is software listed as an item that can be inoperative? Next he presented 121.349, 125.203. 129.17 and 135.165 that state that the equipment requirements to fly IFR overwater operations is to have two independent navigation systems suitable for navigation. He emphasized that these regs stipulate two independent systems are required. He then stated that this precludes the min required of 0. He made his third case that the out-of-date nav data base equates to a FMS system operating in a degraded mode and this is not a condition he felt met the dispatch requirement of having two fully independent nav systems. He then re-touched upon his objection to the C category use being too long a period to be operating in what he felt again is a degraded mode of operation. Finally he stated having a minimum of 0 leaves no motivation of due diligence to check the accuracy of nav data. He concluded that for these reasons he sees no option but to have PL 98 dis-approved and thus MMEL relief for nav data base be deleted.

Todd Schooler (Cessna) made counter comment that all this is fine provided you are an 135 / 121 operator. His operators are Part 91 and this PL does not address them. John McCormick (FDX) challenged Greg's contentions. He asked what is wrong with C category? Greg pointed to his third point, the need for two independent nav systems. John countered that the issue is of one database supporting two independent FMS systems thus -/0 works and it does not represent a degradation of FMS. Conversation pursued that the intent of the original PL 98 was to enhance safety for future NEXT GEN nav and FAA should support that. Taking the relief away will ground entire fleets just because of a late vendor delivery or delivery of data base with a missing data point, etc. Instead the procedural guidance that has been negotiated within the draft work on PL 98 will achieve an enhanced level of safety as it mandates the operator must have a procedure to check the data for changes between old and new and provide the differences to the pilot via a means such as a listing of routes, approaches, etc. that may be not be flown. Further, as specified by AC 91-101A, RNP AR procedures, the AC expressly does not allow such procedures to be flown period when the database goes out of date.

Jim Foster (SEA AEG) also brought up the issue that he felt this is not really applicable to the MMEL and should be moved to another forum. John echoed that by stating he agreed as this is degradation of software and not a hardware issue which is the usual function of the MMEL, yet he and with industry support, ALPA in particular, felt that this is a unique issue that is best handled by the MMEL. The argument was that it is far more preferable to allow continued use of the FMS, particularly on large category aircraft than force the shutting down of the FMS. Greg thanked the group for the inputs received stating all the comments of industry will be taken back to HDQ for further consideration. He expressly asked to see demonstrations of how operators validate the data. John offered to provide an example of how FDX validates data.

88-13. PL-98, Navigation Databases (Continued)

Action Item: John McCormick - Provide the requested example of how FDX validates data.

IG-87: (Ref. pl-98_r1_d10 & pl-98_comment_form)

John McCormick (FedEx) began the discussion by opening, as he has done so at the two previous meetings, asking that if an operator can devise a way of determining what has changed in the database from rollover of one to another would the group consider that be safe practice. He mentioned that initially ALPA has some concerns and they have been resolved and reflected in latest draft. He stated the latest draft 10 to PL has now been out on web for comment for near on two months with only one comment from Cessna. John asked if there was there were any other comments. Nobody spoke up and thus John stated he felt the PL should therefore be allowed to go to final release.

John then outlined that if operator does not check the data, then the aircraft cannot be operated in RNAV, RNP, RNP-AR and essentially can only be operated as a using analog, 'round dial' gauges, charts, VOR/DME equipment, etc., and not FMS navigation. He stressed the improved provisos in draft 10 would allow use of FMS navigation on routes that have been verified as unchanged. This is vast improvement and enhances safety. He also emphasized that the checking of the data needs to a coordinated process involving the operators dispatch organization and/or use of an Air Nav specialist using tools that are commercially available to bit check the data.

Gary Larsen (FAA SEA AEG) asked a few questions on how the data could be marked, identified as unchanged. John stressed the methods used can be various and it is better addressed at the operator level than within the policy. The PL should only mandate the requirement that data must be checked. Gene Hartman (FAA LGB AEG) asked if the nav data base becomes out-of-date can the aircraft retain its /R designation. John stated yes it could as it is still an RNAV capable aircraft, it just cannot fly an RNAV arrival/procedure(s) that have changed. A question was asked regarding how would a divert to an alternate be handled. John explained the operator needs to provide a list of all possible alternates along the planned route denoting those not changed, thus usable, etc. He concluded that it is much more a dispatcher responsibility as when an aircraft has declared an emergency as they, the dispatcher, would have the same data available as the pilot and more time than pilot.

Todd Schooler (Cessna) stated this was fine for large transport operators but not so for his operators as most are single owners with no dispatcher. Furthermore, he has had conversation with the manufacturer, Garmin, regarding how they recommend operating with an out-of-date nav data base. They stated no way. They do not certify their equipment without current data, etc. He stated their AFM supplement list the alternate procedures to use in lieu of FMC. He stated all this was outlined in his comment to PL draft 10 on the FAA website. He concluded he has asking for separate Part 91 relief for some time to no avail and he does not plan to implement PL 98 relief for Cessna products as there is no legal requirement to do so. (continued)

88-13. PL-98, Navigation Databases (Continued)

Chad Tarara (Pinnacle) spoke up that he felt proviso a) needed revision. He stated he is overall OK with the relief but would like to see alternate wording as the current proviso implies that no change can exist in data base. He stated he believes that the intent is that only data in the data base that can be verified as accurate can be used. John agreed but with the exception to Chad's suggestion that operator must be able to check the accuracy of data. He stated accuracy of data is a responsibility of the vendor who develops the database, He felt operators can determine where changes have occurred but it is beyond their ability to determine if the data is accurate.

A member from Alaska Airlines expressed their strong support for John effort to improving this process stating they have been using RNAV procedures to remote Alaskan airports for more than 15 years now. Yet he disagreed with John that this is not a safety related issue. John clarified his statement that it is safe provided the procedures are followed. Brian (Alaska Airlines) clarified that the language of existing PL is what has frustrated them and John draft is an improvement.

At this point, Greg Janosik (FAA AFS 240) asked the question, "How would we operate if MMEL did not allow this relief." John stated he felt many would ground the airplanes as without the data base the FMC would be considered as not performing it intended function. Todd Schooler (Cessna) stated he strongly disagreed as per their vendor they could not certify FMC if that was the case. He stated FMC functionality is working fine except for the navigation part. Discussion then centered upon differences in FMC design, use in Part 91 versus 121.

Greg then asked what item of equipment is being allowed to be inoperable. He contended that the CFR that authorizes an MEL, CFR 121.628, states only instruments and equipment can be inoperative. It does not include software. John attempted to counter but Greg interjected citing John own statement from previous meeting where in response to an AEG argument that this relief does not belong in MMEL, John stated "..this is degradation of software and not a hardware issue which is the usual function of the MMEL." Greg then re-stressed his question "What is inoperable." He stated he needs to better understand what is being addressed by FAA allowing this relief to stand. He outlined three objections:

- He cannot determine how nav data base software applies to MMEL relief.
- He is troubled with relief giving operators 10 days to update their FMCs
- He feels this MMEL is being used to accommodate not an equipment failure but a vendor supply problem, and that is an inappropriate use of MMEL.

John countered with fact that once the data becomes out-of-date a principal function of FMC, navigation, can no longer reliably be performed and that meets the definition of the term 'inoperative.' Greg disagreed, Todd Schooler (Cessna) disagreed, especially since this PL will impact equally large transport (121) and his smaller private jet, general aviation community, a group who have FMC(s) installed but are not required to maintain active subscription service for nav data. John asked if the group felt that aircraft being operated without current data was not a major safety problem. He stated he did, that it obviously was a concern six years ago when ALPA opened this item. John stated his revised procedure greatly enhances safety. (continued)

88-13. PL-98, Navigation Databases (Continued)

In support of John's position another operator gave several examples of other MMEL items that do not render system inoperative; instead the system is operating in a degraded condition. Greg agreed but stated when FMCs nav mode is not functioning it does not preclude flying the aircraft by other means. John countered that was not necessarily true, safe, or efficient way to fly sophisticated aircraft in the NAS.

Greg then asked another question, "If operator was not under guise of MMEL relief how would they operate?" He then answered his own question by stating the operators would fly the company procedures pertaining to an out-of-date nav data base to ensure they are flying safely, correctly and as appropriately within the NAS. This lead to lengthy counter points from industry members present. Roger Lien (Pinnacle) stated this was perfect reason for needing this relief in MMEL as any write up against it needs to be cleared or be able to be deferred before flight. Further, he stated he had no other means of conveying operational alternate procedures. Todd Schooler countered with question of why was MEL was needed for FMC data base but operators are able to handle 'other' data bases outside the MEL such as TAWs and one the he referred as Chart View. John McCormick requested topic remain centered on FMC nav data base as item that is being considered.

Greg Janosik concluded that an FMC cannot be item considered inoperative as per John's recommended procedure as operator is using the FMC navigation function to fly the aircraft. John stated "Yes, because that portion being used has been verified as unchanged." Greg retorted that for an MEL to be used some piece of equipment must be inoperative. More analogies to other equipment were offered by members of industry. Greg stated he could not see the MMEL as the appropriate means to handle software issues and operators should consider managing it as an ACI item.

He stated the operator should get together with their POI and devise a procedure on how they will handle operating with out-of-currency data base. He stated he envisioned that procedures followed under the ACI would be essentially the same as those proposed by John's proposal and as an added benefit an ACI would not carry a category for repair. He then added that he felt it would force the operator to work closer with their vendor to ensure more timely and accurate data packages.

John McCormick stated he felt this was more appropriately addressed as a national policy issue than an individual, local level issue, He stated as an MMEL PL it ensures a uniform practice is established. He stated also it provides a level field not to just AEG chairman but to POIs also. Discussion when back to subject of what is inoperative

George Roberts (Delta) stated we have been focusing on database being out of date when the MMEL should be used for inoperability of some piece of equipment such as physical damage to data loader port or an electrical connector that precludes proper functioning of FMS. Database out of currency is not a mechanical malfunction, FMS is considered fully functioning and thus Greg considers this is a vendor / company problem that FAA should not enabling by approving this MMEL. (continued)

88-13. PL-98, Navigation Databases (Continued)

Several operators questioned the wisdom of having to determine root cause of what lead to an inoperative piece of equipment, as in this case, reason why the nav data base expired, as a defining factor in determining acceptability of MMEL relief. Numerous examples were given and caution in setting precedence was given.

John agreed to take the points discussed under consideration and re-draft PL.

Action item:
John McCormick – Fed Ex
George Roberts – Delta
Todd Schooler – Cessna

Item remains OPEN.

IG 88 (Ref. pl-98_r1_d10 & pl-98_comment_form)

Action-

- John McCormick to provide workgroup update.

Document Title:	**PL-98 Rev-1 D10 (Nav Data)**
Summary:	Draft ten, twenty eight Feb
Document for Download:	Draft Document (MS Word) Draft Document Comment Grid (MS Word)
Comments Due:	11/15/2012

Item remains OPEN

John McCormick opened with comment that this PL has been a long ongoing unresolved process and he felt need to clarify industry position that operators are not using out of data thus unreliable data. He was referring to the comments from Mr. Schubbe (FAA AEG SEA) on PL comment grid. He stated the premise of Mr. Schubbe's position that operators were using incorrect data. John stated in the contrary the intent of the industry groups procedure was to verify what portion of the database is in fact unchanged and hence is accurate and safe to use with the caveat of employing all the normal processes of ensuring safe operation. He thanked Mr. Schubbe's stating the industry agrees that we all do not want to use out-of-date data.

John then moved on the comment of AFS 240 at last meeting that the MMEL cannot be used to cover up a part supply, vendor problem. He stated he attempted to revise the draft as was requested to address equipment issues and not a process control issue but he reported it did not 'come out right.' He states he sees is as a software issue that may not fit the tradition MEL condition but if followed enhances safety.

He restated the background of the problem that lead to this current draft and stated the industry does not want abandon the effort of the last six years.

An FAA member stated that he believed Mr. Schubbe's position is the MMEL is not a correct avenue for handling this type issue. John questioned what was then the correct avenue? John countered that for operators the MEL is a standardized, normalized process that ensure uniform application and he felt if FAA mandates it deletion from MMEL then that would result in haphazard handling leading to overall reduction in safety. He stated that he can conceptualize FMS navdata function as being a software part number that therefore can be MEL'ed just like a part, component, provided provisos are in place to ensure adequate safety be assured, and then the operative portion may continue to be used.

The member from the FAA stated he understood that Mr. Schubbe's position is regardless of whether or not there is a process it is just not regulatory allowed. John questioned what regulation was the FAA stating 'does not' allow for use of data. He cited knowing of only one particular AC, related to data and that's AC about RNP AR procedures that specifically states operator must be able to extract information from a current database. John stated that was the reason industry draft specially excludes RNP AR procedures when data currency is out-of-date. He state the other regs that Mr. Schubbe cites in this comment only states one must use current database and the industry proposal is verify the data what is unchanged and use only it. John stated that he welcomed Mr. Schubbe comments as he stated each time someone critiques the PL draft it forces a revaluation that has led to it been improved.

Greg Janosik (AFS 240) commented that he has come around to agreeing that he sees that a degree of relief needs to be provided. He stressed that his of concern is that it is a situation of not doing something correctly but doing just something open ended, without a time limit. He said it analogous to over flying aircraft with a life limited part on aircraft. He suggested PL could be drafted to state that the FMS cannot be used as a primary means of performance based navigation once the data expires. He outlined that this could be extended to a D category interval. The group at large adamantly disagreed. Numerous examples were given how this approach does not meet with reality in the working environment.

Greg re-stressed that with an out-of-date navdata base operators will not be using FMCs to conduct performance based navigation. He stated this was the FAA position, line in the sand. Industry members disagreed stating this is everyday occurrence when database dates rollover. Aircraft begins a flight on current database that expires inflight, it continues to destination, etc. Discussion continued around this FAA position. The issue of what is purpose of the expiration date was discussed. Industry stated it was arbitrary while FAA related it to being considered a time change unit, once the date is reached it is no longer usable.

Greg continued by stating a rule is in the making that when released that will re-vamp the processes that operators will have to follow in updating data bases. Discussion was held on nature of data loading process used today and went on to discuss a new USB, data storage medium device that is available. Discussion regarding whether or not the fact that this new rule, newer equipment, would resolve the out-of-date issue as there will still be legacy aircraft flying needing to use the current time and labor intensive process.

Dave Stewart (Air Transport Business Development) asked what is the FAA position on this item becoming an ACI rather than MMEL relief. Tim Kane responded that it not a FAA objection but an industry objection to use of ACI as it would lead to disintegration of standardized practices across the industry.

Dennis Landry presented a Delta Dispatch Bulletin that outlines a procedure that has been FAA accepted that requires the employment of dispatcher to validate that the planned route data has been validated and communicates this to the crews. He stated this process assures the aircraft can continue to safety operate with FMS providing the primary means of navigation. He stressed that to take the stated FAA position would be significant step back from safety. He stressed a solution needs to be sought. Comment was made that having ALPA's endorsement of the industry draft proposal was a significant event.

Finally, it was proposed if FAA Mr. Schubbe, could be invited into the industry work group and that workgroup reconvene ASAP. Another recommendation was that Washington AFS 420 and RNAV workgroup representative are also brought onboard to hammer out a solution. An industry comment was that the draft proposal already prohibits the precision arrival, approach procedures (RNAV AR) from being flown when navdata base expires. After much discussion it agreed that workgroup be expanded and proposed draft be moved forward.

Item remains OPEN.

88-14. AC 117-1 Crew Rest Facilities

Objective: FAA has requested time for ASI Dale Roberts to speak to the MMEL IG on this issue.

Item Lead: Dale Roberts – FAA (ASI - AFS-200)

Discussion:

It is anticipated FAA will issue a new AC before the IG meeting that will provide onboard crew rest facility details, the basic requirements of which are contained in the flight and duty time final rule issued January 2012 and effective January 2014. One of the keys to making the flight and duty time final rule work is the ability to augment crews allowing longer flight times and flight duty periods, which requires an onboard crew rest facility; MMEL relief for these rest facilities is also a key part of this process.

IG-87: (No attachment available at time Agenda was finalized; one may be provided later)

Dale Roberts (FAA AFS-220) presented some of the regulation's changes and he stated the group needs to concentrate on items of equipment that potentially can be deferred that could be impacted by new rule change. He outlined some elements of the rule and how they may impact the industry. He began with under new Part 117:

Flight crews must report fit for duty. He stated to be considered fully rested a crewmember should get 8 hours of sleep. Less than that will result in a deficit that degrades performance.
The rule classifies rest facilities as class one, Good, class two, Fair, and class three, Poor.

- Class one is defined as a flat sleeping surface that is a separate compartment that has control over temperature, lighting and affords a level of noise reduction.
- Class two means a seat that allows near flat sleeping position and is separated from other seats by a curtain that provides a degree of darkness and noise reduction. Also class two can be two crewmembers sitting adjacent but does not allow either to be a passenger.
- Class three is a seat in cabin and can be situated adjacent to passenger(s). Also class three must be able to recline 40% and provide leg and foot support.

The term 'suitable accommodation' applies to ground rest facilities and not onboard aircraft facilities.

Flight duty periods (FDP) for augmented operations are listed in table format:

- FDP chart lists the limits for augmented operations and by cross referencing the rest facility class 1, 2, 3, number of crewmembers, and time of check in for duty for determining flight duty period in hours.
- Additional requirements detail amount of inflight crew rest each pilot must be afforded based upon criteria such as crew duty, i.e., pilot landing versus pilot monitoring, the number of segments during FDP, at least one crewmember must be qualified under 121.543.(b).(3).(i) and other requirements as listed in table contained in rule, etc. (Continued)

88-14. AC 117-1 Crew Rest Facilities (Continued)

Fatigue Risk Management Systems (FRMS): an optional approach to fatigue management and requires data collection for analysis to demonstrate satisfactory alternate means of compliance. Example given was a crew rest facility that did not meet the regulation requirement but though data collection and analysis the carrier may be able to demonstrate it will provide the same quality of rest, i.e., a class one facility that does not have a flat surface, etc. Dale stressed that unlike other regulations the FAA will not be issuing exemptions but instead require FRMS analysis to demonstrate equivalent level of compliance.

In answer to an industry member question Dale clarified what was meant by data collection for FRMS analysis. He stated it would require active monitoring of crewmember level of physical alertness using what he called 'active graph data.' He further clarified this as a crewmember would wear a monitoring device and perform physical tests designed to measure reaction time in response to a stimulus, etc.

Another inquiry was in regards to release to Crew Rest facility AC. Dale reported it recently when out for publication. He then was asked what type of equipment items this rule may have impact upon. He presented a document from rule that he referred to as QAS (Qualification Analysis Statement) that listed items that operators will need to consider, e.g., for class two facility, it listed an inoperative curtain, curtain fails to enclose seat surface, that would probably need to accounted for in MMEL or the rest facility would be downgrade to a class 3.

Another question was that it was understood that if electronic means such as the ACARS was used to communicate acceptance for duty restrictions as a part of release then it, ACARS, would need to be addressed in MEL as a requirement for dispatch? Dale indicated yes and that is a regulatory requirement. Additional comments were expressed regarding applicability of Part 117 to all 121 operators, passenger and all cargo. Kevin Peters (FDX) questioned Dale's comment that all cargo operations are conducted under part 121, as he reported he believed FedEx feeder aircraft are not 121. Dale stated that an operator, who is not currently affected by rule, can choose to opt-in to Part 117 but once in cannot opt out. Dale followed on stating they have not as yet crafted a Part 135 crew fatigue rule.

Doug Mullen (Assistant General Counsel) asked Dale if he envisioned the group coming up with a PL draft. Dale stated he will defer to AEG on that. A member from United Flight Ops asked if workgroup could be assigned to evaluate the requirements of the new rule and come up with MMEL guidance. Dale responded that MMEL relief and provisos will have to be determined by collection of data. He gave example that of a class two facility with a non-functional curtain. He stated through scientific data collection of parameters such as sound reduction with curtain in place versus incomplete, or partially open, etc., they would have determine if the facility still qualified as a class two or if it would have to be downgraded along with FDP limits. (Continued)

88-14. AC 117-1 Crew Rest Facilities (Continued)

Paul Nordstrom (Boeing) asked how does Boeing aircraft which currently have numerous flight crew rest configurations and MMEL permissible relief get classified. He stated he assumed they all would be considered class one. Dale referred to the classification charts contained in the rule. He stated that would determine application of class. He then stated once an aircraft gets evaluated the operator will get an Opspec A117 denoting such. He stated the opspec will list the aircraft with installed class of rest facility by tail number and serial number and will contain the limitations and chart so the exact FDP limits can be determined. Paul asked if this program has been coordinated with EASA and Air Transport Canada, Dale said, yes. He stated AC will contain a detailed outline and all necessary guidance will eventually be published in 8900.1. Dale concluded with comment that rule implementation date is Jan 4, 2014.

Tom Atzert (UAL) volunteered his assessment of how MMEL relief would possibly need to be structured. He outlined three categories:

- Items that would not downgrade the classification of a crew rest facility
- Items that would necessitate a facility downgrade
- Items that would make facility unusable.

He then stated classification and evaluation of such equipment standards would be arduous affair and asked how was going to head up a workgroup?

Potential workgroup volunteers:
Dale Roberts – FAA (LEAD)
Doug Mullen – A4A (Co-LEAD)
Paul Nordstrom –Boeing
George Roberts – Delta
Tom Atzert – United
Brian Leska – ALPA
Nacho Lavineta – US Air

Note: Doug Mullen proposed A4A will assign appropriate resources. He also suggested A4A scientist be appointed to assist.

IG-88:

Action- Doug Mullen (A4A) provided work group update

- First WG call was on October 11, First WG meeting on November 8 after the MMEL IG meeting.
- The goal of the Nov 8 in-person meeting will be to have preliminary discussions about what the WG believes are appropriate items for relief.
- Doug is drafting an issues paper that will be distributed to the WG members.

Bob Ireland reviewed the workgroup progress. On Nov 6 Doug Mullen sent a draft issues paper to the workgroup and on Nov 7th Bob Ireland distributed a matrix which compares the Regulation, Advisory Circular and FDP Aerospace Recommended Practice.
Workgroup will meet Nov 8 after IG 88 has ended to conduct their first meeting.

Item remains OPEN

88-15. PL-63 Equipment Required for Emergency Procedures

Objective: To ensure the foundation of PL 63 R4 is as strong as the original PL.

Item Lead: Eric Lesage (Airbus)

Discussion:

IG 86: (Ref. PL 63 R4 D3 Airbus Comments, and PL 63 R4 D4 Airbus)

Eric Lesage (Airbus) presented their new two-fold proposal. First is to introduce complementary guidance associated with the original guidance of 63_R3 which is to ensure relief is not granted to instruments and equipment item required to accomplish an emergency procedure. He stated they felt this is too restrictive and they want to add the term 'necessary' to accomplish an emergency procedure. Apparently Airbus feels without this added guidance the current 63_R3 implies that any system utilized by emergency procedures is considered as NO GO even if it can be shown that the non-availability of a system does not impair the accomplishment of an emergency procedure.

The second proposal is to remove of all references to equipment items that are powered by electrical emergency bus bars from the second part, paragraph of current 63_R3. He stated that Airbus feels this is too restrictive and a cause of confusion as it does not account for system design redundancy, results in unnecessary restrictions, differences of relief in master MELs granted by FAA and EASA.

Eric stated he wanted to give explanation of how Airbus takes PL 63 in account when evaluating items of equipment for MMEL relief. He stated they understand that a special assessment must be done regarding equipment called out as required in an emergency procedure. He stressed that this assessment must be done regardless of the probability of failure of equipment in question, and that if the equipment is used in different procedures then it must be done for each procedure. He then stated that just because an item is called out in a procedure it does not implicitly mean that unavailability of item impairs the correct accomplishment of a procedure. He gave examples of how redundant system / equipment that can be used to achieve the desired response.

Regarding Airbus' second proposal of removing reference to emergency bus bar powered equipment, he stated as a manufacturer Airbus has to demonstrate that when the aircraft is in an emergency configuration that it is compliant with certification requirements and can remain in a 'safe' condition, but he stressed that a manufacturer can decide to design aircraft to go beyond these minimum specifications for sake of providing additional reliability functions to the crew. He gave example of later generation aircraft having greater power output of generators allowing redundant equipment being powered by separate emergency power sources. He thus proposed removing verbiage '..if powered by an emergency bus or equivalent..' from PL 63's second paragraph. He also proposed that the topic of whether or not items of equipment need to be emergency powered should be topic of another policy letter, Airbus proposes the focus of PL 63 be only the accomplishment of any emergency procedure. He then presented a new version of PL 63 which had the title changed to "Instrument and Equipment Items utilized for Emergency Procedures" with refined scope statement.

88-15. PL-63 Equipment Required for Emergency Procedures (Continued)

He explained Airbus' reasons for substituting wording such as 'unitized' and 'necessary' in place of 'required.' He stated 'required' is too often interpreted as if it is listed in procedure then it is a NO-GO item. Whereas the use of the other two terms allows for more substantial evaluation. He gave examples of lighting configurations where multiple lights are on an emergency bus power source and hence under today's PL are not allowed to be inoperative whereas in an actual emergency only a very limited number are actually necessary for safe accomplishment of the procedure. Todd Schooler (Cessna) agreed stating as a manufacturer they too place much more equipment on emergency busses than is required for emergency procedures.

Eric gave other examples related to speed brakes, autopilots, and a specific one regarding failure of the automatic presentation of passenger masks stating that as per their draft PL language that on a case-by-case basis if a manufacturer can demonstrate by quantitative analysis that absence of the equipment item does not impair safe operation of the aircraft, then the item should be a candidate for MMEL relief. Group discussion ensued with varied opinions expressed from several people arguing that 'required' is a better term than 'utilized'; other wording and re-organization of the proposal were also suggested. Dennis Landry (ALPA) commented that this new approach by Airbus is totally different from their original proposal (see minutes of previous IG meetings). Eric agreed that this is a change of direction as Airbus is now of the opinion that the description of equipment power sources is not what we should be concerned with. Bob Taylor suggested Eric provide a revised updated draft of PL proposal for posting for comment.

IG Chairman's Note - Post-IG 86 Airbus reconsidered the format originally presented to the group as PL 63 R4 D4, is withdrawing R4 D4, and will resubmit a new draft proposal as part of the IG 87 agenda.

Action Item: Eric Lesage - Provide updated Airbus draft proposal of PL 63.

IG 87: (No attachment - Airbus will await publication of PL 63 R4 D3 before determining if there is a need to submit a proposal.)

Eric Lesage (Airbus) presented a draft R5 to R4 that is an attempt to clarify that MMEL relief is permissible if it can be shown accomplishment of emergency procedures is not impaired by the non-availability of certain instruments or equipment items being powered by an emergency bus. His draft extended scope of PL and at same removed the original PL examples of emergency bus powered items of equipment as he stated they represented older technology and also lead to PL being overly lengthy and confusing. Eric outlined the changes he has inserted in this latest draft.

Workgroup volunteers
Dennis Landry – ALPA (LEAD)
Eric Lesage – Airbus (Co-Lead)
Brian Lesko – ALPA
Todd Schooler – Cessna
Garry Larsen – FAA AEG

(Continued)

88-15. PL-63 Equipment Required for Emergency Procedures (Continued)

IG 88:

Note: items 87-16 and 87-16a are closed. Item 87-16b renumbered to 88-15.

Action- Eric Lesage provided workgroup update

- Item is still under workgroup review and not ready for discussion at IG 88.
- Item remains open for next meeting.

Item remains OPEN

Eric Lesage (Airbus) stated issue is still under discussion and not ready for group presentation. Tim Kane asked for a mid-term update before next MMEL IG of a second draft proposal.

Item remains OPEN.

88-16: Preambles / Definitions

Objective: New Item - Procedures for MMEL preamble and definitions.

Item Lead: Gene Hartman (FAA)

Discussion: Example of what the AEG would like the standard MMEL to look like.

(No attachment)

Gene Hartman (FAA AEG LGB) stated that there are several formats going in the MMEL library of MMELs as listed on www.fsims.faa.gov He stated as for Master Definitions and Preamble some MMELs have just a reference to PL 25 and PL 34 versus others that contain the entire content within MMEL Intro. He state FAA LGB would like to a standardized format for presentation be decided upon by AFS 240 and communicated to all AEGs. He stated it was LGB preference for the inclusion of statement as the he reported is listed the G650 MMEL that states 'Insert Preamble from Policy Letter PL-34… or PL-36…' He stated it carries the two PLs as it depends upon which Part the aircraft operates under (PL-36 is Preamble for Part 91). He stated this is the same approach to Master Definitions, PL-25.

He also stated AEGs not using consist approach to effective dating of FSBs, MMELs, etc. He states it could be the date it comes out of AEG or a later date published on www.fsims.faa/gov George Ceffalo gave explanation of how he prefers to have AEGs leave documents undated, while Gene stated individual AEGs feel that it their responsibility to date document. Gene asked Greg Janosik (AFS 240) to give direction.

Kevin Peters (FDX) asked that while the FAA was on the discussion of standardizing format issues is there any intention to standardize the MMEL ATA chapter page template. He stated MMELs have migrated from ASCII manually spaced page to the MS Word table cell format. He asked if there are any other plans to change templates. Tom Atzert (UAL) stated FAA is going from traditional portrait page to landscape page template for the A350 MMEL. Greg Janosik (AFS 240) asked if this topic was related to the previous discussion on MMEL Agenda Proposal & Coordination Process document topic (reference to agenda item 88-03). Kevin's response was the agenda proposal and coordination MMEL page examples are non-standard but he also sees inconsistency in approved MMELs. He stated as for agenda proposal template he intends to canvass the AEGs for a consensus.

Dave Burk (AeroDox) questioned the way the example MMEL (G650) was used by Gene to demonstrate LGB FAA's preference on how MMELs addressed Preamble and Master Definitions. He stated it list PL as source of Part 91 Preamble yet he informed the group that there no less three versions of Preamble, PL, 8900 and that contained in certain MMELs. He reports all three differ. He felt this needs standardization in itself. As for Master Definitions he stated that particular MMEL (G650) lists 'Insert PL-25, R18.' He said the MMEL revisions and revisions to PL are not in sync and his inspectors demand strict compliance to MMEL and he wanted FAA to reconsider not being as specific as listing what revision version is to be applied.

Item CLOSED.

88-17: PL 73 MMEL Relief for Emergency Medical Equipment

Objective: To keep PL 73 on the agenda to monitor any potential changes to current PL 73 R5, currently being discussed within FAA Legal.

Item Lead: A4A - Joe White

Discussion:

IG-86:

This item created as a result of, but unrelated to, discussion of the Nose Wheel Steering Agenda Item 86- 26.

General discussion ensued on the overly lengthy amount of time the legal review is taking. Greg stated it cannot be avoided. He recognized that it is painfully slow. He stated Anne Bechdolt was actively working the EMK issue. Tom Atzert (UAL) stated that Anne had requested that anybody with additional data forward it to her in the next 30 days. Greg stated Anne is reviewing all the historical data on the issue, and the statistical data recently provided by A4A, indicating the study and evaluation is ongoing.

IG Chairman's Note – Post IG 86 A4A Managing Director, Engineering & Maintenance, Joe White provided an update indicating A4A had met with Mr Duncan, FAA Deputy Director of Flight Standards for Policy, and Mr. Dean Griffith from the Office of General Council; Joe indicated "Mr Griffith may attend IG 87 in SEA."

Item remains OPEN

IG-87: (Ref. pl-073 r5, EMK subsequent use…, N8000.320, UAL_DAL EEMK Data)

Joe White (A4A) provided update on request for relief on EMKs. He gave some background details and referred a series of inquiries, reports that involved FAA and A4A safety council regarding a letter that was received requesting relief in the latest PL 73 be restricted to one flight day from previous three flight days. He stated this lead to a request for new data collection effort to re-justify return to three flight days but the data collection service used was critiqued as not covering all cases where medical aid was needed but it did adequately demonstrate that the event of opening of a kit was extreme remote, less than 10^{-9}, that a kit will need to be opened on two consecutive flights.

Unfortunately, this was not acceptable to FAA as justification of retention of three flight days and FAA proceeded with released one flight day relief. He explained that the criteria used in determining what was to be collected changed between the time of first data collection effort and the second effort that in his opinion showed from risk analysis perspective that the three flight day relief was indeed adequate. Yet FAA apparently found data wanting, lacking in certain details. He reported that he understood FAA wanted examples of actions taken on occasions of kit usage? FAA further stated that the data submitted did not justify three flight days relief because the proof was that in the cases where the relief was exercised the three days were frequently not used, needed, and hence the conclusion was operators can live with only one day.

88-17: PL 73 MMEL Relief for Emergency Medical Equipment (Continued)

Joe outlined some issues with use of kits and problems replenishing them that supports the need for three flight days. He stated A4A intends to collect the additional data FAA is now asking for and will keep IG informed. He concluded that it is therefore not a safety of flight issue but their risk analysis none the less supports the need for more than one flight day. He finished with stating he believes it is administrative issue rather than a safety issue.

Judith Murawski, (Industrial Hygienist, AFA-CWA, Air Safety, Health, & Security Dept.) spoke to how the AFA feels that this issue can be considered a definite safety issue. She referred to an unspecified study that reported the availability of an AED can apparently increase the chance of survival of someone needing medical attention from as low of 5% to as high 50 to 74%. She then referred to the CFR requirement listed in 121.309 that each item of medical equipment must be readily accessible, claiming being inoperative or missing cannot be considered as in compliance with this requirement. She concluded with statement that the flying public and flight attendants have expectations that when needed this type of equipment will be available and thus AFA position is that there should be no relief at all.

Doug Mullen (A4A, Assistant General Counsel) countered by first agreeing that the perception is that this is a safety issue but the safety analysis justifies that this is in fact is not a safety risk. He outlined how the decision to make relief more restrictive was a procedural error, lack of due process, and it is hard to understand the continued position of FAA especially after two extensive data collection efforts and their (FAA) initial agreement with the statistical results demonstrated an acceptable level of minimal risk. Thus the latest FAA change of position is of concern as it not appearing to be justified. FAA Legal representative responded to Doug expression of concern on procedural issue not correctly followed by stating that was adequately addressed by their consideration of posting of PL to the Federal Register. He then stated that as a part of the placement to the register is the need for them to consider the appropriateness of the level of relief been offered and that not all the data collection requested by FAA was available at that time.

Gary Larsen (FAA SEA AEG) asked if an operator is required to report to FAA of incidences where kits are opened and used and if not where is this data found. Joe White stated at minimum it should be captured in dispatch records. Gary questioned why the FAA should extend to operators three flight days when the evidence has shown that it has never been exercised. Mike Baier and Don Reese (AAL) countered with scenarios of why three days are needed. Gary questioned why was probability analysis used as to make risk decisions, as he reported it is not in the FAA AEG methodology. Instead he reports they always assume the next failure is considered 100%.

Paul Nordstrom (Boeing) stated that for decades manufacturers and the FAA indeed did not use risk analysis for MMELs but he reported that back in 1990s and with the advent of newer more sophisticated aircraft such as the B-777 that they began to re-deploy statistical probability analysis. He also stated this was supported by AEG and indeed FAA certification and rule making has always been based on risk assessment. In reference to the emergency medical equipment Paul stated that based upon the statistical probability numbers, A4A's position is highly acceptable, and also, it removes emotional sentiments that have clouded the issue.

88-17: PL 73 MMEL Relief for Emergency Medical Equipment (Continued)

Joe White thanked Paul as it reminded him that per the EMK rule preamble the FAA would take into account risk assessment. With that said, he then asserted that use of risk analysis implies, no matter the probability, that a risk of something failing cannot be absolutely ruled out. He closed the discussion by stating that the 'clock is ticking' and this issue needs to be resolved before irreversible actions occur.

Action Item: Joe White (A4A) continue with data collection.

IG-88:

Item Lead: Bob Ireland/Joe White (A4A)

- Provide update

  Notice to FED REG that PL change to one flight is now standard. PL 73 will remain unchanged

Item remains OPEN

88-18: Deferral of MMEL Item Subcomponents which are not specifically identified in the MMEL

Objective: To discuss whether certain subcomponents of primary MMEL Items, the subcomponent not being specifically identified as a subcomponent in the MMEL, can be deferred as NEF (e.g. passenger seat position light, foot rest, tray table…).

Item Lead: Boeing – Paul Nordstrom

Discussion: Boeing received an inquiry from an FAA Inspector regarding a light installed on some seats that indicates when the seat is in the full upright and locked position. The light is a subcomponent of the seat, which is listed in the MMEL; however the MMEL does not authorize separate relief for the light. Operators have been using NEF for the light; the Inspector is trying to understand how the light can be NEF when 8900.1 V4 C4 S11 states "If the inoperative, damaged, or missing item is listed in the MMEL, CDL, or operators MEL, then the deferral procedures for that item must be followed. If the item is a subcomponent of a primary system identified in the MMEL/MEL/CDL, where no previous relief was authorized, the subcomponent may not be deferred in accordance with the NEF procedures outlined in Chapter 25 of the MMEL or MEL."

IG-87: (No attachment)

Paul Nordstrom (Boeing) stated he was contacted by a local FAA individual who was seeking guidance on proper use of NEF as in reference to the issue of a component of a MMEL system where the component is not listed in MMEL but was being placed on a local operator's NEF program (see Discussion paragraph above). Apparently per the NEF Policy (Ref: 8900.1, Vol4/Ch4, section 11, flowchart element 2.0) this is possibly not allowed. Paul stated Boeing felt the sentence attached to step 2.0 is vague in meaning and could stand clarification.

He expressed concern that if this is true then all associated items of the MMEL included system would have to be considered as having a safety, airworthy consideration. He stated that they did not believe that to be true in all cases. In addition to the light in question he gave example of a seat tray table that currently is considered as NEF item and typically can be found on an operator's NEF approved list. He then deferred to Kevin Peters (FDX) to comment on use of the NEF flowchart. Unfortunately, Kevin stated he was not overly familiar with application of the NEF flowchart and could only give his initial impression of his own reading of sentence attached to element 2.0.

Kevin stated that as worded the 2.0 element could be considered somewhat synonymous with MMEL master definition #19, Inoperative Component of an Inoperative System. Todd Schooler stated he too could see that the intent was not to allow components of MMEL system going on the NEF list. General discussion pursued and eventually Paul concluded that if that is the case then there would be no justification for an operator having an NEF list? Mike Evanoff stated we need to go back to how these components were addressed prior to NEF, under Pax Convenience items program and he proposed a possible workgroup to study issue. Discussion was held on whether a lighted indicator is a part of overall seat functionality versus that of a tray. Another IG member mentioned that certain items such as tray table have already been considered acceptable as NEF by virtue that it is found in NEF master list. Paul concluded with suggestion that NEF PL 116 wording be adjusted.

88-18: Deferral of MMEL Item Subcomponents which are not specifically identified in the MMEL (Continued)

Workgroup volunteers:
Paul Nordstrom – Boeing (LEAD)
Mike Evanoff – Virgin America
Mike Baier – AAL

IG-88:

Paul Nordstrom (Boeing) opened the discussion by outlining an optional piece of equipment for passenger seats, a light that illuminates when the seat is not been brought up to the full upright position. He continued with a scenario where an operator wanted to place this indicator on NEF deferral but discovered a potential conflict to doing so when they reviewed NEF guidance in 8900.1, Vol 4 /Ch 4, Section 11 that states: *

> "If the item is a subcomponent of a primary system identified in the MMEL/MEL/CDL, where no previous relief was authorized, the subcomponent may not be deferred in accordance with the NEF procedures outlined in Chapter 25 of the MMEL or MEL."

* This information is found in the NEF flowchart, figure 4-52, step 2.0.

Paul reminded the group of earlier discussion had on EFBs (agenda item 88-13) where it was proposed that ancillary functions such as a print button could be considered NEF as another example of conflict with this guidance. He stated that the workgroup had developed a proposed change. He said they suggest deleting the current statement or replacing with alternate one that states:

> "If the item is a subcomponent of a primary system identified in the MMEL/MEL/CDL and the sub-component is functionally required to meet the certification or operational compliance of the primary system then the subcomponent may not be deferred as NEF."

Group discussion pursued on whether or not it can be adequately determined at the time an operator seeks to add an item to NEF that they can readily determine if a subcomponent is required for certification. It was mentioned that was a responsibility of OEM to do. Todd Schooler stated much of these types of equipment are not OEM but BFE, vendor equipment and he gave example of a very minor component that he state nobody would consider cert required but indeed it is, i.e., the devil is in the details.

A member of the group expressed concern that the proposed change will lead to re-evaluation the approval of every carrier's NEF program. Changing the definition was cautioned as possibly having 'unintended' consequences, negatively impacting a currently workable NEF process. Lengthy discussion on how numerous items such as seat tray tables that are on NEF universal list could be considered as not NEF acceptable per the current guidance.

Lengthy discussion pursued on origin of NEF and the existence of the universal NEF list along with discussion pro and con on whether to pursue a PL amendment or an 8900.1 revision was raised without

a resolution. Greg Janosik cautioned that NEF has become a ‘very sore’ subject within FAA HDQ and he stated if the group wants to start challenging, tweaking, the required items of the program such as taking an MMEL item apart, determining at the operator level what is required and what not is an invite to trouble, harm to the program. Discussion continued for a long time until Tim Kane finally summarized the group’s discussion and suggested that the workgroup be re-convened to consider the issues raised.

Item remains OPEN.

88-19: Display Units MMEL Relief

Objective: Transport Canada has requested time to discuss MMEL relief for Display Units

Item Lead: Transport Canada - Carlos Carreiro

Discussion:

IG-87: (Ref. pl-xxx_r00_d01_2012-07-17, and IG_87_MMEL Proposal Display Units)

Carlos Carreiro (Transport Canada) stated that they were approached with request for Display Unit (DU) MMEL relief which lead him to review both EASA and FAA MMELs and he noted significant variation, no standardization, thus he proposes a DU Policy Letter. First he presented a Display Unit abbreviation and definition list, followed by applicable CFRs, 91-205, 121.305, and 121.307. He outlined some pertinent facts of the regulations. He presented manufacturer DU arrangements and current permissible DU MMEL deferral limits; showing the lack of consistency from aircraft to aircraft, the significant variation of relief that he reported represents an uneven field of safety which does not seem justified.

His MMEL proposal was presented that listed a series of factors that AEGs should consider in evaluating DU relief followed by outlined sample MMEL categories and associated provisos. He stated that Transport Canada position is that relief should not be granted for primary display of PFDs thus MMEL sample relief was restricted to various RH positioned DU combinations of ND/MFD followed by Lower DUs. Todd Schooler (Cessna) objected to this approach stating it was not representative of the Cessna family of aircraft design and did not take in account retrofit, option configurations, etc., thus he did not feel PL should provide such categorization of equipment. Further he stated the attempt to protect the LH DU displays was already adequately addressed by PL 63 as information on the LH displays are typically emergency bus powered.

General discussion occurred related to operations in Parts 121 versus 91. An addition request for clarification was made by Thierry (EASA) regarding aircraft certified under Part 25 versus 23 followed by comment from Todd that some Cessna product(s) are certified under Part 25 and never operated under 121 thus a PL based solely on 121 was not justifiable. Greg Janosik (AFS 240) interjected that this PL draft was not ready for group evaluation and suggested a workgroup to assist Carlos in advancing it. An AEG representative stated they would support this as he felt a listing of criteria for determining appropriate relief would be beneficial. Carlos stated that the factors, steps 1-11, listed in the PL draft should be retained for AEG guidance in determining acceptable level of safety. He reported that this is the current policy of Transport Canada.

Workgroup volunteers:
Carlos Carreiro / John Hientz - Transport Canada (LEADS)
Greg Shetterly – FAA KS AEG
Stacy Klein – FAA SEA AEG
Todd Schooler – Cessna
Pedro Sierra – Avianca
Darrel Sheets – Net Jets

(Continued)

88-19: Display Units MMEL Relief (Continued)

IG-88: (Attach pl-XXX_r00_d02_2012-09-06.doc)

- John Hientz (TC) provide update.
- Draft 2 Version of the Display Unit PL proposed.
- Stacy Klein (FAA) provided comments.

John Hientz (Transport Canada) stated he has received comments from the workgroup but he reports more work is needed before presenting to group. He asked that although his organization proposed PL he wanted to know more regarding industry need for a policy. He questioned the efficacy of a PL. He asked for group feedback. Paul Nordstrom (Boeing) stated they are against it (PL) as display configurations are usually unique to each type aircraft and thus he felt attempting of categorize them and place arbitrary repair intervals on them was not something Boeing supports. Instead he felt each configuration needs AEG evaluation.

John stated they had no beef with aircraft OEMs but instead vendor STC holders approaching Transport Canada for guidance on how to apply existing MMEL relief to new installations on older model aircraft. He outlined some current available technical guidance such as certification requirements such as 25.1323, basic instrument T concepts, power source requirements but he stated they are usually are inquiries regarding revisionary modes, complete display failures, etc., that get to be complex and he felt cannot be covered by some generic guidance as usually provided by a PL. With that said he felt Carlos' revision 2 which bulleted some principles to apply when evaluating potential relief maybe of value to the non-OEM STC developers.

Todd Schooler (Cessna) objected to a PL that would contain guidance of what is acceptable in a certification perspective, He stated that is solely Part 23/25 rulemaking issue. It was countered that such guidance is usually contained in ACs. With that said, Todd stated that there are developments taking place that far exceed the existing regulatory requirements thus he understands the intent of Transport Canada of attempting to provide additional guidance, he just don't believe a PL is appropriate.

Discussion moved on why Transport Canada was requesting an FAA PL to address this issue. John stated in this case certification rules between the different authorities are essentially the same and he expressed although the PL proposal is coming from Transport Canada it is not an attempt to establish Transport Canada policy. He stated instead it is as a member of this MMEL IG group that it could possibly be a benefit to all. Other Aircraft OEMs spoke to their display designs and how they have approached the various certification authorities as EASA and FAA, etc. Again it was the stated that a PL was not the preferred method.

Collin Hancock (EASA) commented that what he sees in the generic guidance as listed in the draft PL as good overall general guidelines but he felt they are too specific and not something EASA would publish. John therefore thanked the group for their inputs and that based upon discussion he requested to withdraw draft PL.

Item CLOSED.

88-20: PL-130 MMEL Policy for Nose Gear Steering Systems

Objective: Create new policy letter to replace PL 114 Inoperative Rudder Pedal Steering

Item Lead: FAA - AFS 240, Greg Janosik

Discussion:

IG-85

Greg Janosik (AFS 260) stated FAA has ongoing plan to delete relief for tiller bar steering but preserving rudder pedal steering. This will impact both left and right tiller bars when both are installed. Because this is considered major change of policy it will be posted to the Federal Register. Several members had objection to Greg's comment that the IG members should withhold comments on PL until it is posted on the Federal Register. Tom Atzert (UAL) made the argument for the group that this, the MMEL IG, is the proper forum for critical review of the topic as the group brings the expertise of the manufacturers of system and operators of system together who can intelligently discuss the topic more so than the general public at large. Therefore, it should be first debated in the MMEL IG forum before a proposal of change goes to the Federal Register.

Bryan Lasko (ALPA) presented a presentation on why ALPA does not support nose wheel steering (NWS) via the tiller. The presentation centered on what is the next critical failure mode with tiller steering inoperative. He gave numerous examples of failures where aircraft recovery was only made by employment of the tiller. Bryan made the point to stress this. He then raised the question of where is the redundancy that allows for tiller to be inoperative. He stressed the point that there is no such redundancy apparent. He outlined a scenario based around the fact that at some airports, according to FAA NOTAM, an aircraft must utilize the longest runway to make an emergency landing. He stated that for an in-flight failure his QRH instructs him to land on the longest runway, yet for a dispatch with nose gear steering inoperative, the MEL does not contain any similar instruction. Therefore, he asked the question; "Is the MEL dispatching crews in emergency situations?"

Next he tackled the lack of simulator fidelity to demonstrate ground maneuverability to safely train handling the loss of NWS. He then critiqued several operational procedures recommended in various operator MELs such as use of asymmetrical thrust, avoid making tight radius turns as unsatisfactory. He then stated MEL relief should never conflict with PL 63 and that every aircraft he has operated has an emergency procedure that references maintaining directional control with the NWS tiller. He then posed the question how is he expected to comply with such instruction when an aircraft is dispatched with inoperative nose wheel steering. Finally he wrapped up the ALPA position that there is not an acceptable level of safety with this MEL.

ITEM REMAINS OPEN

88-20: PL-130 MMEL Policy for Nose Gear Steering Systems (Continued)

IG 86: (No attachment)

Greg Janosik provided an update on the status of Draft PL 130 Nose Gear Steering Systems indicating this is still an open action item, but FAA has prioritized issues and there will be no activity on PL 130 until they resolve the PL 73 issue (EMK/AED/FAK). Jim Foster (AEG SEA) stressed that he had previously commented that any FAA relief for Nose Gear Steering must ensure that it can be adequately trained as to how to safely conduct operations without it; Greg agreed.

The status of PL 130 remains an OPEN issue; a number of other issues then evolved; these are:

- The above led to general discussion on the activity on PL 73 (EMK/AED/FAK). Greg stated it had gone to Legal; when asked to comment on what the final content could be expected to be he refrained from providing any specifics. Paul Nordstrom stated PL 73 was recently removed off the agenda, but based on the lack of specifics regarding its content it should be placed back on the agenda.

  IG Chairman's Note - PL 73 now appears at the end of these minutes as a NEW AGENDA ITEM.

- Dennis Landry stated ALPA is requesting Bombardier provide them with the justification and test data used for gaining initial relief for the Nose Wheel Tiller on the CRJ-600 series aircraft, i.e. details of analysis, FAA inspection, and evaluation testing that lead to acceptance by the AEG; the intent being to permit ALPA engineers to understand the relief provided. Dennis indicated the data may be forwarded to Mr. John Stift, ALPA Staff Engineer (ref. IG Members list for contact info.). Dennis continued by explaining how he felt this was a major departure from the concept of the MMEL and FOEB process ensuring an adequate level of safety is maintained. Much discussion was had on perceived errors with the issuance of PL 114 such as why it has a GC header as it is strictly guidance to AEG chairpersons and does not provide any specific mode of relief that the operator can apply.

  Dennis later followed up with a PowerPoint presentation (Ref. meeting minutes bookmark AI 86-26 – Dennis Landry ALPA Nose Wheel Tiller Concerns DCA April 2012.ppt). referring to a number of historical issues regarding the MMEL IG, development of MMEL/MEL relief, and past Policy to emphasize ALPA's position, concluding with a slide summarizing why ALPA cannot support relief for the Nose Wheel Steering Tiller. Dennis concluded by reemphasizing their concern for "an expedient process to expedite PL 130".

- Slide 17 item (4) of Dennis' ppt Presentation generated additional discussion in that currently Archived PL 116 had previously given the FOEB Chairman the ability to delete relief if he believed it to be unsafe by stating "When an MMEL item requires an "O" "M" procedure and the FOEB does not have a high level of confidence in the results of paragraph (1) or (2) above, the item should receive serious consideration for deletion from the MMEL."

88-20: PL-130 MMEL Policy for Nose Gear Steering Systems (Continued)

Note: The referenced notes (1) & (2) above read as follows - (1) Solicit from the manufacturer its recommended procedure or, as a minimum, aspects to be considered by the operator in the development of the procedure. (2) If the manufacturer no longer exists, the FOEB, using available information and qualified field resources, must develop the procedure or delineate the aspects to be considered by the operator in the development of the procedure.

Tom Atzert commented there must still be a way for an FOEB Chairman to "fast track" the elimination of relief if the Chairman believes it to be unsafe; however indications are this process may now also be subjected to a public review and comment period.

- A question and answer period was conducted after Dennis' presentation. Namely, how often does this relief get applied. Dennis concluded that ALPA has tried to accommodate this relief by actively working first with drafts on PL 114, and now on PL 130, but essentially they have to come to the conclusion this relief (Tiller) is wholly unsafe. JP re-iterated that Bombardier stands by it.

- JP Dargis, (Bombardiar) gave several counter points to the PowerPoint presentation given by Dennis Landry (ALPA) on NWS relief for the CJR, these being:

  - Bombardier certified the NWS on CJR as loss of system being a less than major incident and that all certification testing was done without NWS needed.
  - As to ALPA's statement that use of differential thrust to compensate results in unacceptable jet blasts, JP stated Bombardier agrees and thus their MMEL limitations, procedures, lists the need to tow aircraft out of ramp area. Dennis's countered ALPA's experience is that not all operator personnel are not adequately trained, certified to tow aircraft on active taxiways away from ramp.
  - JP stated that ALPA's reporting that operators have placed crew members under disciplinary action for refusing to accept this 'legal' dispatch relief is of concern to them but is outside the scope of the MMEL program.
  - To ALPA's contention that collected data, reports show that operational use of this relief is wholly unsafe, JP stated that he agrees that if an operator chose not to respect the limitations and procedures as Bombardier stipulates then significant risk exists. Yet, that again is outside the scope of the MMEL program.

IG Chairman's Note – IG 86 Agenda Items 84-39: PL-114 Inoperative Rudder Pedal Steering – Removal of Relief, and 86-27 Reply to the ALPA NWS Presentation may be referenced for historical background information related to this subject. All minutes relating to the subject of NWS at IG 86 are included in this Agenda Item, 86-26.

88-20: PL-130 MMEL Policy for Nose Gear Steering Systems (Continued)

Action Item: Greg Janosik – Update IG Group regarding progress of PL 130

IG 87: (No attachment)

Greg Janosik (AFS 240) stated they are working on draft 6 to PL 130 that is attempting to incorporate PL 114, Rudder Pedal Steering, into the larger overall title of Nose Gear Steering Systems which includes Nose Tiller Steering mechanism also. He reports that relief for tiller bar relief has been deemed acceptable if there is redundancy, such as a tiller bar handle on opposite side able to be used to steer the aircraft normally. To do otherwise is to attempt to conduct normal ops using emergency procedures such as towing aircraft with passengers onboard to and from the runway which has been ruled out as not conducting normal operations. He stated this is just an outline of current project and comments on it from different FAA internal branches have not all been received. They will notify us when it posts for public comment.

Greg asked the group for comment. Gene Hartman (FAA LGB AEG) asked if any operator had sought or obtained tiller bar relief. Greg stated that it was more related to smaller aircraft, other than part 121. He stated they were attempting to draft relief as generic as possible so as to be able to apply to all Parts. He concluded by reporting unlike other PLs when released this one will be released with an FAA Notice to POIs to conduct a review of all MELs to ensure that existing steering relief correctly reflect the requirements of the PL, or correct within 30 days.

Item remains OPEN.

IG 88: (No attachment)

Action Item: Greg Janosik

- Update IG Group regarding progress of PL 130

Greg Janosik (AFS 240) outlined that PL 130 has become a non-entity as it is been replaced by rollout of nose wheel steering relief per PL 114. PL 114 limits nose wheeling steering relief to tiller bar steering only provided there is a redundant system that allows normal operation of the aircraft. Question was raised as to whether or not PL discriminated as what side of cockpit has to be operative. Greg stated it did not, either side maybe inoperative. Dave Landry (ALPA) stated that PL 114 satisfies their concerns and he wanted to know if the MMEL that currently carries the entire nose wheel steering relief was to be removed. Greg stated yes, that was been handled at the AEG level.

Item CLOSED.

88-21. Part 91 MMELs – Handling and Content

Objective: To discuss Part 91 MMEL(s), and how we handle them and their contents.

Item Lead: LGB AEG – Gene Hartman

Discussion:

IG-86: (No attachment)

Gene Hartman (AEG LGB) stated that while separate MMEL Preambles exist, MMELs as written are geared towards 121 / 135 operations and do not adequately address the difference between Parts 91 and 121 / 135. He suggested a work group be formed to determine how to best address this issue, whether it be via a PL, or others means, to ensure that FOEB Chairmen consider Part 91 operations not just large aircraft ops. Dave Burk gave numerous examples of existing PLs that as written only fulfill the Part 121 operation requirement; principal examples were items that carry the nomenclature of 'flight attendant.'

Gene asked George Ceffalo (AFS 260) why Part 91 MMELs are not carried on www.fsims.com George responded this is because rather than publish two MMELs, one for Part 91, and another for 121, they publish just one MMEL and give the user the option of inserting the preamble that fits their operation (Parts 91, 121, 135 etc.); he stated he knew of only two exceptions of where a 91 only MMEL existed.

Todd Schooler (Cessna) seconded the proposal of the need for different guidance for 91 versus 121 / 135. He restated Gene and Dave's position that PL writing has tended to remain centered principally to the concerns of 121 / 135 operations. He stated that he had an understanding with his AEG Chairman who understands this and that they are able to pick apart the PLs to fit Cessna's fleet; however, he reported this is not understood by the majority of AEGs, and other manufacturers and operators are forced to have to accept 121 relief conditions being imposed upon their Part 91 operation. Discussion then centered upon the fact that only until the last 5-6 years that Part 91 has been an active part of the MMEL IG, and since then PLs have tended to be more generic with the document header referring to all applicable Parts affected. Jim Foster (AEG SEA) agreed stating he felt that actual PLs writings have attempted to address all Parts concerned, but may have fallen short.

Todd gave the example of how even the generic single engine MMEL, an obvious Part 91 document, requires dealing with Part 121 requirements, citing the Nav Data Base PL as an example. George Ceffalo stated he thought the problem could be resolved with a re-write of the Preambles; he outlined how previous attempts to improve these had failed. He also stated the new GC header attempted to fix some of these concerns. Todd agreed but felt a more comprehensive education of all FOEB Chair persons is needed. Discussion continued with numerous examples of how current MMELs and PLs do not fit all aircraft configuration. One example given was a passenger configured B767 versus a B767 in a corporate jet configuration; another was the ADS-B extender squitter, with GA using a UAT instead, but the PL does not differentiate between the two. Another issue is that some PL are just out-dated. Todd gave the example of how some aircraft do not have physical CBs but are equipped with virtual breakers instead.

88-21: Part 91 MMELs – Handling and Content (Continued)

Bob Taylor (industry chairman) attempted to bring closure to the discussion by asking for a summary of what is needed, a workgroup study, PL creation, or other process? Tom Atzert (UAL) stated the scope of issue needs to be defined before attempts to fixing the problem is pursued. Discussion then centered on scope, and then on whom within the IG group should be involved in a workgroup. Gene stated he was not proposing creation of extra work, but instead to heighten awareness that the group could do better. Greg Janosik stated the only way to improve the process is to work the issue. He stated it is not an issue of doubling PL count but ensuring AEG chairman are aware of and take into account the needs of Part 91 operators. Greg stated it is something this group can handle and does a good job at, but not enough AEG chairman attend these meetings, indicating that is a problem he has to address. He stated until that changes the PL output of the IG has to be designed to better address and communicate the needs of Part 91. He suggested that a separate review group or committee could be established and tasked with the responsibility of reviewing all PLs in draft phase for application to Part 91.

A group member stated that he thought that as an outflow of the 8900 rewrite work there was to be the establishment of a training module and instructions on how to approve an MEL. He stated he felt this would be a good place for coverage of this topic. Dave Burk stated he gives MEL training to FAA and he gets comments from Inspectors that they do not get trained in detail. It was stated that training is very limited. Greg acknowledged this by stating it is duly noted. He stated they need to study this issue further. He then concluded that Part 91 guidance possibly needs to be identified in a PL. Collin Handcock (EASA) stated EASA has published their own guidance on this issue, sating they divide the listed relief as effective for commercial and/or non-commercial operators.

Workgroup established as follows:
Lead - Dave Burk (Aerodox)

Members:
Todd Schooler (Cessna)
Darrel Sheets (NetJets)
Dean Hartschen (Hawker Beechcraft)
Gene Hartman (AEG LGB)
Nick Petty (Exec. Jet Management)

Action item: Part 91 MMEL Work Group

IG-87: (No attachment)

Todd Schooler (Cessna) reported several drafts have been developed and reviewed and that item is considered a work in progress. No further update given.

Item remains OPEN.

(Continued)

88-21: Part 91 MMELs – Handling and Content (Continued)

IG-88: (No attachment)

- **Action item:** Dave Burk/ Gene Hartman provide update for Part 91 MMEL Work Group

Gene Hartman (FAA AEG LGB) requested PL to be withdrawn as he reports FAA HDQ has come out with guidance is for there to be a single MMEL for all operating Parts and operator to apply the appropriate MMEL preamble and definitions, PL 34 and 25, to their respective MEL

Item CLOSED.

88-22: Aircraft Position Lights in MMEL's

Objective: To discuss how the requirements for Position Lights in MMEL's are written and differ.

Item Lead: David Burk (Aerodox)

Discussion: (attach email)

MMEL's differ in how the requirements for Position Lights are written.

Examples;

FAR 1.1

Night means the time between the end of evening civil twilight and the beginning of morning civil twilight, as published in the American Air Almanac, converted to local time.

FAR 91.209 Aircraft lights.

No person may:
(a) During the period from sunset to sunrise (or, in Alaska, during the period a prominent unlighted object cannot be seen from a distance of 3 statute miles or the sun is more than 6 degrees below the horizon)—
(1) Operate an aircraft unless it has lighted position lights;
(2) Park or move an aircraft in, or in dangerous proximity to, a night flight operations area of an airport unless the aircraft—
(i) Is clearly illuminated;
(ii) Has lighted position lights; or
(iii) is in an area that is marked by obstruction lights;
(3) Anchor an aircraft unless the aircraft—
(i) Has lighted anchor lights; or
(ii) Is in an area where anchor lights are not required on vessels; or
(b) Operate an aircraft that is equipped with an anticollision light system, unless it has lighted anticollision lights. However, the anticollision lights need not be lighted when the pilot-in-command determines that, because of operating conditions, it would be in the interest of safety to turn the lights off.

Dave Burk (Aerodox) questioned the MMELs use of the terms ‘day’ or ‘night’ as descriptor of when aircraft lights are needed. He stated that when he referred to FARs there are differing interpretations (see agenda Discussion above). He reported that this came to light as a result of an inquiry by a dispatcher seeking his guidance. He outlined how MMELs typically state ‘..may be inoperative for daylight operations only,’ or, ‘may be inoperative for night operations only.’ He then referenced the FARs where in FAR 1.1 there is the definition of Night which excluded the period known as twilight and a different definition as is found in FAR 91.209. He asked the question do we need to address this with PL, or via FOEBs to amend MMELs This was answered by someone from within the group with a ‘no one cares.’

It was agreed that FAR 1.1 and 91.209 do not say exactly the same thing. Several MMELs provisos were highlighted as also not using the same terminology. Tim Kane (JetBlue – Industry Chair) stated

this has become an issue within their organization and they have addressed with their own definition with their MEL that includes a hyperlink to the Air Almanac. Don Reece (AAL) asked if FAR 1 had definition for sunset with the answer being no. Discussion went back and forth. A pilot within group stated that sunset tables are readily available and thus he sees no real conflict. Dave stated he felt MMEL were actually giving more relief than FAR allows as it excludes the periods of twilight. The definition of twilight as found in the Air Almanac was presented and which clearly highlighted that a period of approximately 20 to 30 minutes before sunset and after sunrise were not addressed by MMEL use of term 'night.'

Dave re-stated should this be a PL consideration or FOEB one. Tim asked if a master definition in PL 25 was warranted. Greg Janosik (AFS 240) response was that he didn't think so. He stated that FAA legal counsel representative, Dean Griffith, had already cited what was stated in FAR and that should suffice. Dean spoke up that is something that should be a concern for operators.

Item Closed

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

88-23: PL-76 ATC Transponders

Objective: Is intent of PL still valid?

Item Lead: Paul Nordstrom Boeing

Discussion: No CFR 14 reference in PL, UPS had installed the system under a test program. ADS B will be required by 2020. Reference CFR 91.225, 91.227.

IG-80:
Tom Atzert and Paul Nordstrom will revise PLs to bring them up to date.

IG-81:
Paul Nordstrom – PL 76 R6 D0 – ADSB Squitter Transmissions – Added second set of provisos regarding establishment of alternate procedures. Also, repair category updated. Boeing has not developed any procedures and defers to the operators. They are actually routing restrictions. AFS 260 will review PL draft with AFS 400 and post for comment. No action on PL-105 at this time.

IG-82:
See pl-076 R6 latest draft.

Paul Nordstrom (Boeing) presented changes to sub-item for ADS-B Squitter Transmission that states if inoperative alternate procedures are used. If an aircraft operates in an airspace environment that requires it then there is no relief, thus alternate relief would be to restrict aircraft to other operating regions. Discussion of what type of ADS-B transmission is being addressed with this sub-item, the higher altitude capable 1090 MHz extended squitter (1090ES) or the universal access transmitter (UAT) which is a less capable, altitude limited system. Thus it was agreed to continue 'tweak' the language. PL-105 removed from this agenda item.

Action item: AFS

Note of interest: Discussion was held on PL 105 which has a similar title as PL 76, ADS-B system. This PL was created for the benefit of UPS who pioneered this equipment that employs CDTI for cockpit presentation. Suggestion was to sunset, archive. Pete Neff, Bob Davis (FAA) both argued in favor of retention as there are programs in development that employ this mode of ADS-B, etc.

IG-83:
PL draft presented and Paul Nordstrom (Boeing) reported that it was not the draft he worked as he added that only alternate procedures are established and used with NOTE that any ADS-B function operates normally may be used. Draft on review had CFR references added. Group comment was that is not the convention. Pete Neff requested the NOTE remain but the CFR reference be removed. Greg Janosik (AFS 240) stated the reference can be moved to the PL 25 appendix A which provides lists of applicable FAR per MMEL item(s). Bob asked Paul to forward his original draft back to committee. Once corrected version (one without CFR references) is received it can be posted with the intent of going FINAL.

88-23: PL-76 ATC Transponders (Continued)

As a follow on discussion it was noted that draft on post also had the GC header struck thru indicating deletion. Paul stated his draft did not have this struck. He asked if FAA had determined if this PL does not warrant GC. Again no feedback on by whom or how change got into posted draft? General discussion of GC was held and it was finally decided GC header to this PL would be OK. Paul to submit draft again with retention of GC and removal of CFR references already agreed.
Item remains OPEN.

IG-84:

Greg Janosik (AFS 240) stated PL 76 is posted and provided no comments are received it will go final.

Discussion was held on somewhat related PL 105 ADS-B. This was discussed as being a propriety PL strictly for benefit of UPS and is not representative of existing ADS-B now deployed. Pete Neff stated FAA intends to roll out a completely new ADS-B PL. He states this one, PL 105, needs to be disposed of; however the industry feel 105 is still appropriate. Tom Atzert (UAL) stated it has been published in several MMELs and has thus been employed in a limited capacity. Pete outlined how new PL will also address pending rollout of ADS-B IN as well as OUT function.
Item remains OPEN for confirmation PL 76 went final.

IG 85: (No attachment)

Note - Copy of PL was not available to include in agenda – PL 76 R6 D1 had not gone final as of 12/15/11, and Draft had been removed from FSIMS.

Greg Janosik (AFS 240) stated PL 76 contained extended squitter (ADS-B), which came under objection with AFS 201 while being routed thru FAA internal coordination. Greg said he removed it and placed it in PL 105, the ADS-B policy letter which is being re-written and coordinated with AFS 400 but was not yet ready for posting for comment. John McCormick (FDX) stated extended squitter was a sub-item of the ATC transponder because it is a function of the transmitter, plus PL 105 is, as currently written, designed to apply only to a propriety system. Greg stated that PL 105 as re-written is now representative of ADS-B for all operators. Pete Neff (AFS 240) expanded upon Greg's statement that PL 105 is to be re-written by mentioning some of the future growth issues related to ADS-B. Greg stressed that the current PL did not support the current or future use of ADS-B. John McCormick asked if the PL will be a global change PL. Greg and Pete stated they assumed it will be once released.

Action Items: Greg stated PL 76 to be reposted without extended squitter and assuming no comment will go final in a few weeks. New PL 105 will be posted and remain open until next MMEL IG meeting.
Item remains OPEN.

Action Item: Greg Janosik

88-23: PL-76 ATC Transponders (Continued)

IG 86: (No attachments)

As of 03-27-12 PLs 76 R6 D1 and 105 R2 D1 were no longer posted on the draft site; neither had yet gone final.

Paul Nordstom (Boeing) spoke up in favor, support of the PL 76_R6_D1 by first explaining there are two methods by which ADS-B out is going to be transmitted between commercial versus general aviation fleets, the transponder 1090 MHz ES (extended squitter) or Universal Access Transceiver (UAT). He stated to differentiate PL 76 as effective for ES 1090 he has placed three asterisks under the sub-item. He then stated PL 105 should be used to address the other, non-commercial, means of ADS-B-out, use of the UAT. His reasoning was that PL 76 is already addresses the employment of ATC transponder on commercial aircraft and hence the 1090 ES should logically reside it that PL too.

Greg Janosik countered that a transponder with extended squitter enables ADS-B thus extended squitter should be described as part of subject of ADS-B and not merely a function of the transponder. He then concluded that the group needs to decide if they want two separate PLs or just one. He stressed that combining the two into one PL was what he felt is the preferred method as there is a lot more to ADS-B than just extended squitter. Paul responded that as there is different hardware to be used to enable ADS-B there should two PLs. Greg stressed again that he felt that the extended squitter needs to come off the transponder PL and addressed by an ADS-B PL to preclude further confusion between topics. He brought forth the earlier agenda item of Part 91 not being addressed in PL writings as a reason why ABS-D should be the topic of its own PL.

Comment was made to disposition of current PL 105. This was dismissed as not adding to the present state of ADS-B as it supports only a single operators STC'ed system and it needs to be rewritten to fit more 'generic' ADS-B requirements so as to allow for differences in system architectures, etc. Greg stated that in his re-draft of PL 105 he has removed much to STC specific 'stuff' and left only elements that he feels should be on the topic of ADS-B. But he stressed that the PL is far from ready. Tom Atzert (UAL) stated that while PL 105 was originally written to suit another operator's STC, UAL has been able to employ 'bits and pieces' of it for their 747-400. Greg stated if current PL 105 is still fulfilling a purpose then maybe it can stand and he will transfer the more generic information for ADS-B into a new numbered PL. Greg concluded he will evaluate this further.

Action Item: Greg Janosik

IG 87: (No attachment)
Note - Copy of PL 76 R6 D1 was not available to include in agenda – PL 76 R6 D1 had not gone final as of 07/25/12, and Draft had been removed from FSIMS.

88-23: PL-76 ATC Transponders (Continued)

Paul Nordstrom had previously submitted Pl 76 R6 D2. Greg Janosik (AFS 240) stated he promises to get draft posted to FAA draft site before next meeting. He states FAA concern was extended squitter needs to be separated from PL 76, transponder item and treated as separate PL. He reports he has not been able to do so and will probably leave it combined in order to get PL relief out for operator benefit. Paul Nordstrom (Boeing) stated another goal was to take pertinent parts of ADS-B as listed in PL 105 and edit them into PL 76. Paul contends we really don't need to have two PLs on ADS-B, especially since 105 addresses a specific type of ADS-B configuration designed exclusively for a single operator. Tim Kane (JetBlue) stated they are involved in ADS-B implementation and he reports the nomenclature used in 105 is no longer representative of the ADS-B equipment design that they are installing and hence 105 should rescinded, or advanced to correct technology, nomenclatures. Workgroup was recommended to research the scope of ADS-B and exactly what group feels needs to have relief and decide if this needs to be a new PL, include it in transponder PL 76, or other solution. A workgroup was recommended to address issue.

Workgroup volunteers:
Paul Nordstrom – Boeing (LEAD)
Tom Atzert – United
Tim Kane- JetBlue
John McCormick – FedEx

Item remains OPEN.

IG 88

Action - Paul Nordstrom (Boeing) to provide update on workgroup.

Paul Nordstrom (Boeing) stated he had forwarded a new draft, PL-76_R6_D2 to Greg for posting and asked the group if PL-105 was still needed. The discussion was that there would be some overlap between PL-76 and PL-105 for ADS-B; he stated there is no rule as to which one to use. He stated they were trying to save space for the transponder method for the airlines so he said the workgroup's decision was to place into PL 76 that if the transponder is inoperative then the ADS-B is also inoperative. He stated it PL 76 was sent to AFS 240 and was posted. He stated that to accommodate the small aircraft that will not use this method three asterisks were added.

Paul stated the controversial PL is 105 that are dedicated to one particular operator's installation. He stated it believed that it is not representative of how industry has been moving forward with implementation of ADS-B. The 105 ADS-B configuration is tied to the TCAS whereas the current system is tied to ATC transponder hence they felt PL 76 was the best place for ADS-B relief to be addressed. Paul suggested 105 could be deleted, archived or may be used to address the UAT system used by general aviation, or just some general ADS-B guidelines, but he felt the descriptions of different components, panels such as the CTDI needs to be deleted from 105 as this not representative of how the latest system architecture.

John McCormick (FDX) asked since the ADS-B system addressed by PL 105 is a part to the aircraft TCAS then could it not be similarly moved to a sub-item of that PL. He then spoke to the difference of

ADS-B Out versus ADS-B-In and stated he felt ADS-B should have its own PL and not be appended to other systems as a sub-function. John justified his suggestion of a separate PL by stating the scope of ADS-B will be expanded in future years. He conclude that he felt PL 105 thus should be archived but some of the more pertinent issues within PL 105 be moved to new PL.

Tim Kane (JetBlue - Industry Chair) outlined how the system described in 105 is no longer representative of how ADS-B system architecture is today configured. He stated some newer features such ADS-B Guidance Display (AGD) for distance and spacing which currently is not captured in either PL. He stated the Extended Squitter transmission which comes out of the transponder appropriately should be retained in PL 76. The display is no longer tied to a dedicated instrument as CDTI described in PL 105. Paul proposed, based upon the discussion at hand, that PL 105 should therefore be archived. It agreed that a new PL is appropriate.

Brief discussion was held on how crews know whether or not either the ATC transponder has failed versus the functions as extended squitter or ADS-B Out. John re-emphasized that this discussion too re-enforced that TCAS, ATC Transponder and ADS-B all should be a separate PL topic. It was suggested that PL 105 be archived a new number PL established. Greg Janosik (AFS 240) rejected that suggestion state FAA want to minimize the growth of PLs. He stated since PL 105 is already titled ADS-B then it should be re-purposed and become the overall ADS-B letter. Paul re-stressed that he felt extended squitter needs to retained under PL 76, ATC Transponder. Tim asked what was to done to the EFB PL as their system uses the EFB as the ADS-B display.

Item remains OPEN. Paul Nordstrom (Boeing) will provide a draft for next IG and workgroup update.

88-24: PL-40 ETOPS

Objective: Propose a slight amendment on the PL 40 (ETOPS and Polar operations)

Item Lead: Eric Lesage - Airbus

Discussion: (Attach PL-40 r03 d01 v1)

This change concern the Fuel systems. It is proposed in consistency with the new ETOPS design criteria published in 2007.

The principle of our proposal is that the Chapter III indicates that there are two means to enable ETOPS > 120 min dispatch with a main tank pump inoperative in a main tank, while ensuring that the fuel stored in this (these) tank(s) remains available to the engine at the NCF, which is typically failure of a second pump in the affected main tank(s):

1- Demonstrate engine operation in suction (gravity) feed in all flight conditions (as proposed by current PL 40) if there is no remaining fuel pump capable to pressurize this fuel to the engine(s), or
2- Ensure that a third pump remains available to pressurize this fuel to the engine(s). This third pump can be located in the affected main tank(s) or in an adjacent tank provided that this tank can receive the fuel located in the main tank by gravity transfer and can directly feed the engine.

Such change may be beneficial for various airplane manufacturers/models. As far as Airbus aircraft are concerned, it would concern the A330 models (fitted with three pumps in each inner tanks) and the A350 models (Two pumps per wing tank + Gravity transfer between wing and center tank (in case of failure of both wing pumps) + Center tank pump directly feeding the engine(s))

Eric Lesage (Airbus) presented his PowerPoint proposed change to PL 40 that included new guidance regarding ETOPS and Polar Ops dispatch with main fuel boost pumps inoperative(s). He began with outline of an apparent new ETOPS design requirement that states "..fuel necessary to complete the ETOPS flight must be available to operating engines at pressures and fuel flow as by required by FAR 25.955 under any airplane failure condition not shown to be extremely improbable."

He then when to describe how the current PL-40 provides for only one of two design criteria, that MMEL relief may be granted on the "..ability for engines to satisfactorily operate on suction feed in all flight conditions…" He stated this design requirement is the only one considered in current PL-40. Airbus' proposal is to introduce into PL-40 a second means by which ETOPS beyond 120 minutes may be granted. He presented this as follows:

> No MMEL relief is allowed for the Main Tank Fuel Pumps for ETOPS beyond 120 minutes. This requirement may be reexamined based on:
> (1) Ability for the fuel system to feed the engines with the fuel located in each main tank from at least three Fuel Pumps, or
> (2) Ability for engines to satisfactorily operate on suction feed in all flight conditions (ambient temperatures, turbulence, etc.) for extended periods of time.

He defended this by stating depending upon the fuel system design positive pressure and fuel flow can be provided by at least three fuels pumps. He described this as either having a third pump in a main tank or having only two, one main and one standby along with a third pump being located in an adjacent tank provided this third pump has been demonstrated to provide the necessary pressure and flow via gravity feed to the operating engine during the ETOPS maximum-length diversion in all flight conditions. He then presented the Airbus PL-40 draft where this second exemption for obtaining ETOPS dispatch beyond 120 minutes based upon this alternate means compliance given by FAA ETOPS design rules.

He outlined how this Airbus proposal is in support of the A330 via the first means of exemption, having three pumps in a tank, and A350 by the other, two pumps per tank supported by gravity feed from another. He outlined the tank, pump configurations of both aircraft. In response to group questions Eric described normal and abnormal conditions and how as a final fourth method of protection is gravity feed. Paul Nordstrom (Boeing) this is a virtually impossible condition to demonstrate adequately. Another member stated he seriously doubted that FAA would grant Airbus this second exemption method. Greg Janosik (AFS 240) asked if Airbus has demonstrated this alternate means. Eric stated has there are plans in play to do so. Greg stated until it demonstrated FAA will not grant this. The counter was that they want to PL to authorize this as something that they can attempt to do as he stated they could expand the efforts and prove this but then be told the PL does not authorize this a an alternate means. PL-40 draft to be submitted as presented.

Item remains OPEN.

88-25: PL-79 Passenger Seat Relief

Objective: Discuss PL 79

Item Lead: Todd Schooler - Cessna

Discussion:

IG-87: (Ref. pl-79 r9d0)

Todd Schooler (Cessna) presented an overview of new style seating Cessna business Jets have installed outlining the advances in seat features. He then presented his revised draft to PL 79 with additional item descriptions and new sub-items for seat controls. Thus he reported this a consolidated PL; addressing operating Parts, 91 thru 12, combined with seat functions found on newer business type aircraft certified under Part 23 and 25, as more of these new features are being incorporated into newly designed interiors of virtually all categories of passenger aircraft. PL also included new sub-item for side facing seats. He asked the group for comment.

Little to no comments with exception of format issues such as should one of the provisos be a NOTE instead of proviso as was customary in previous versions of PL (a seat with inop seat belt must be considered inoperative). Use of the term "placarded" as listed in the provisos that required seats to be secured for taxi, takeoff, and landing was discussed along with the issue of positioning of such placard(s) was discussed. Finally Paul Nordstrom (Boeing) questioned the listing of components such as recline, armrest, headrest inside the parenthetical description of components listed under new title of seat controls. Paul stated that he thought these items were being handled at the operator level as NEF.

Todd responded by stating headrest cannot be considered NEF as it is designed into the seat to meet the crashworthiness standard. Paul also questioned setting the seat relief standard on the features, relief afforded business jet design rather than the standards found on large transport category aircraft. Todd countered that the all charter airlines like NetJets carry nearly as many passengers. Gary Larsen, (FAA SEA AEG) expressed concern over the inclusion of required items along with non-required items within the parenthetical header of new sub-item, Seat Controls. In regards whether PL should be imposing the need to apply a placard when item is inoperative, John McCormick (FDX) stated that is not the standard. He stated item(s) that must always be operative are permanently placarded as must be installed for taxi, takeoff, and landing. Todd agreed to make a few minor changes and then forward to FAA for comment posting.

Item remains OPEN.

IG 88

Action – Todd Schooler (Cessna) to provide update.

Todd state he had forwarded his update but it did not find its way in the agenda attachment. Todd attempted to outline the changes he had made. He stated the currently approved PL breakout the various seat functions like the armrest, recline function, etc., with their own proviso conditions. He stated the workgroup decided to instead of listing all these separately lump them all together under title of Seat Controls. He stated they did this because all use virtually identical proviso conditions. He outlined a few

exceptions that should not be so lumped into this category as they may have particular certification requirement to be considered. He cited Headrest as an example. Paul Nordstrom (Boeing) had a minor objection to some the components listed in the new category as he reported they are currently handled as NEF items. He stated this proposal would move them to MMEL status. Plus he stated if something is not specifically listed could become non deferrable. It was proposed that the parenthetical bracket examples be removed. The suggestion was to just call it Seat Control Systems.

Discussion pursued on pro and con of having such a grouping or a separate listing. Paul commented again that was listing removes the option of NEF of such components. Another issue of having seat function break out on the PL is that it gets published in MMEL verbatim but the diversity of the seat designs leads not all having the same level of components. Paul stated they should via the FOEB process have the MMEL tailored to the equipment. Todd and Dave Burk (Aerodox) responded that many AEG chairman demand that PL standard be used instead. Dave stated what goes into the MMEL is exactly what the local FAA demands go into MEL. Paul countered that if the equipment is not installed on the aircraft then MMEL relief can be omitted from MEL.

Finally, it was decided to remove the parenthetical information and have the draft PL be posted to FAA comment grid for review.

Item remains OPEN.

88-26: PL-122 Flight Deck Surveillance Systems

Objective: Allow more flexibility for cargo operations with inoperative flight deck surveillance systems.

Item Lead: Kevin Peters - FedEx

Discussion: Under sub item Viewing Ports Cargo Configuration - modify to allow occupancy of the courier/supernumerary compartment by certain crewmembers.

IG-82:

See PL 122 R1 latest draft.

I, Kevin Peters (FedEx) had requested this be placed on agenda due to confusion at this carrier over the application of this PL to all cargo operations. I had previously provided the chairman with a discussion paper that unfortunately did not get into the final agenda document. This was placed on the overhead for group review. It outlined the different FARs that addresses the Intrusion Resistant Cockpit Doors (IRCD) installation.

The principle one, 121.313, states that a door must exist between the cockpit and passenger compartment and after April 9, 2003 the door must meet the requirement of 25.795 that outlines the requirement of an IRCD. This regulation expressly states it is applicable to passenger only aircraft per sub-part (k) which requires all passenger carrying aircraft to have "a means to monitor from the flight deck side of door the area outside the flight deck..."

Recently an internal audit of the company MEL program questioned why we were not using the PL 122 C category relief for the view port. Our response is that PL 122, based around 121.313, carries D relief as it is not a requirement per FAR for all cargo operations. The auditor cited another FAR, FAR 121.584, that states without distinction of type of aircraft operation that the cockpit door must not be opened in-flight unless ".. an approved audio procedure and an approved visual device.." is used to verify person seeking access to cockpit is not under duress. Thus there is ambiguity within the regulations regarding use of visual view ports.

We evaluated the PL 122 C category relief and have deemed it far to restrictive for all cargo operation. A proposed draft to PL 122 has been submitted to revise the view port C category relief to state when inoperative "only persons who are eligible for access to flight deck by regulation may occupy the courier/supernumerary compartment." We feel this in keeping with our TSA approved security program that is based upon 121.547. Essentially the courier /supernumerary compartment is being treated as extended cockpit space as is done on other freighter aircraft that either have an inoperative door (Airbus 300/310) or 777F that do not have a door between cockpit and supernumerary area.
The FedEx FOM requires "crews to positively identify a returning crew member prior to entry to the cockpit. The procedure utilized is up the flight crew."

Item remains open to clarify regulations governing requirement of viewport on freighter aircraft. All Cargo should have less restrictive relief category.

88-26: PL-122 Flight Deck Surveillance Systems (Continued)

IG-83:

Kevin Peters (FDX) requested this be tabled until next meeting.

Item remains OPEN.

IG-84:

Kevin Peters (FDX) outlined his petition as presented in the agenda above (see minutes of meeting 82). It was agreed that he could submit a draft to PL 122 with justification of how all cargo operators who have elected to operate aircraft with IRCD to have TSA approved CAS qualified airman onboard the aircraft when the door view port is discovered to inoperative.

Action item: Greg Janosik request draft to be vetted with small industry workgroup of Paul Nordstrom (Boeing) and Scott Hofstra (UPS) and then forwarded to him for web posting and comment.

IG-85: (Ref PL 122 R1 D2)

Greg Janosik stated PL 122 is posted and will come off web 10/13/12 and if no comments are received will move into FAA internal coordination.

Item remains OPEN.

Action item: Greg Janosik

IG-86: (Ref. PL 122 R1 GC D2)

As of 03-27-12 PL 122 R1 D2 was no longer on the draft site; nor had it yet gone final.

George Ceffalo (AFS 260) gave explanation of status of PL as follows: As a part of being in FAA internal coordination it came under review by the ARC (aviation rule making committee). Their security specialist raised concerns of what is meant by certain terminology such as supernumerary, courier area, and what is the correct name of area aft the cockpit security door after the security door becomes inoperative. Apparently there is the understanding that this area becomes known as flight deck, or extension of the cockpit yet he or they (ARC, FAA) states while it is believed to have once been in writing they cannot find it in any document today. George stated therefore there is discussion on what terms should be applied. He stressed whatever is decided will then be subject to re-evaluation by Legal.

88-26: PL-122 Flight Deck Surveillance Systems (Continued)

He also stated the appropriateness of who was being asked to be onboard is in question. Per draft proviso approved persons allowed to be onboard are those individuals who are authorized by FAR 121.547. Apparently the security specialist involved has expressed concerns in this regards too. George clarified that they are concerned over how the 121 security program accounts for person permitted to onboard. He stated "was it name specific or title specific" as to how it speaks to people who are considered as supernumeraries. Some follow on discussion ensued on as how and why some cargo aircraft have had security doors installed, and others had not.

Item remains OPEN.

IG-87: (Ref. pl-122_r1gc_d3)

Kevin Peters (FedEx) reported that his proposal PL 122_R2 that was initially posted FAA draft site for comment was revised by FAA AFS 260 and reposted as PL 122_R3 and it limited the persons who could be onboard an aircraft in all cargo configuration to 'authorized flight crew only.' He submitted a rebuttal to this revised draft as that being too restrictive because while the FAA's draft agreed (in Discussion and Policy statements) that all persons authorized by CFR 121.547 can be onboard, the proviso text of 'authorized flight crew only' eliminated a large category of those who are actually authorized by CFR 121.547.

Kevin stated he received an e-mail from Greg Janosik (AFS 240) that stated they agreed with Kevin's comments and consequently a draft 4 was posted to the FAA draft site that changed the all cargo configuration proviso to state 'occupied by persons authorized by CFR 121.547.' He reported that FedEx is satisfied with this latest change and requested the PL go final. Greg stated they will ensure that the PL does get released when current comment period expires.

At this point, A4A Legal Counsel, Doug Mullin, spoke up in objection. He stated they (A4A) want to challenge that the PL even addresses all cargo configuration as there is no regulatory requirement for this equipment. Kevin gave an explanation of how initial PL captured via a sub-item all cargo configured aircraft. Kevin explained that a sizeable amount of FedEx aircraft have Intrusion Resistant Doors installed and all are equipped with peep holes thus FedEx needed to get PL revised to preserve their need to carry deadheading crewman, company employees whose duty required they be onboard, etc.

Greg Janosik (AFS 240) questioned if this meant Doug was going to post comment, Doug stated 'yes' and then stated this needs to be addressed off-line. John McCormick (FedEx) stated that installing equipment that is not regulatory required is not an unusual practice and it is beneficial when doing so to be able to have MMEL relief. He then concluded that a better solution in this case could be to have all cargo configuration provisos changed to state 'any in excess of FAR may be inoperative or missing.'

Action item: A4A / FAA

Item remains OPEN.

(Continued)

88-26: PL-122 Flight Deck Surveillance Systems (Continued)

IG 88

- **Action** – Kevin Peters (FedEx), A4A / FAA to provide update.

PL-122_R1when out as final 09 Oct, 2012 and Kevin stated FedEx is satisfied with the outcome and request agenda item be closed.

Item CLOSED

88-27: PL-106 HF Radio Communications MMEL Requirements

Objective: To remove the Note from the current PL 106 R4..

Item Lead: Scott Hofstra, UPS

Discussion: UPS contends that the note at the bottom of the proviso is no longer valid and needs to be removed.

IG 86: (Ref. PL 106 R5 D1, 121.351, FAA SATCOM Press Release)

Scott Hofstra (UPS) had a new draft PL 106 presented on overhead and directed the groups attention to the Note that states SATCOM Voice is to be used only as a backup to normal HF communications. He stated this Note is wrong and needs to be deleted as they now use SATCOM as primary voice comm all over the world. To make his case Scott referred to FAR 121.351 — Communication and navigation equipment for extended over-water operations and for certain other operations. He stated this regulation was changed in 2007 from HF required to only two independent long-range communication systems required. He also stated FAR 91.511 was similarly changed and that FAA had issued a press release approximately a year ago that talks to SATCOM being approved for use in voice communications. He reiterated that the Note is wrong and is causing much confusion in UPS' pilot force.

He then reported that they have been in communication with a certain FAA inspector in Washington who apparently has control over this PL. He has thus far refused to allow the deletion or revision of this Note. On being asked what is his basis for doing so the inspector reported that HF is required per an ICAO rule. When they asked for copy of this ICAO rule and the inspector backed away from that and then reported it is in accordance with 91-511. Scott stated that they disagree because as he already reported this rule was changed in 2007. Scott concluded that the Note is therefore wrong and needs to be deleted. There was a general sense of agreement expressed by the group followed by some discussion on the cost of use by different SATCOM Service providers.

Greg Janosik stated he would not take a stance on this issue until he is able to talk to certain individuals at HDQ; his intent is to have a subject matter expert (SME) from HDQ attend the IG meeting.

Action item: Greg Janosik – Review proposed changes with HDQ, and arrange for SME to address the IG.

88-27: PL-106 HF Radio Communications MMEL Requirements (Continued)

IG 87: (Ref. pl-106_r5_d1, and CFR 121.351)

Dave Edgar (UPS) stated they feel the NOTE at bottom of PL proviso list that states "SATCOM Voice is to be used only as backup to normal HF comm" be deleted as they felt it is redundant. Greg Janosik (AFS 240) stated that FAA is not inclined to remove NOTE until an ICAO regulatory issue regarding SATCOM is resolved. ICAO is planning to meet this September and only then will this be removed. He reported that the draft PL is currently being worked to update it to more modern nomenclature and once all parties have met and agreed then he sees no problem with removal of this note.

Thierry Vandertroppe (EASA) spoke regarding status of this PL as they (EASA) have been working on guidance pertaining to HF and a proviso regarding deferral of HF powered by an essential bus. He stated this needed to be preserved for emergency procedure when operating on a long range route. He stated he did not see this beeing taken into account with this PL. He asked if there is any rational for that as they, EASA, have been attempting to harmonize with FAA rules. Questions were raised as to what rule was being spoken to, ICAO, EASA or FAA requirement? John McCormick asked are we writing FAA MMEL to meet US regulatory rules or to fit all Nation State CAAs, ICAO, EASA rules, etc. He stated traditionally we have been only addressing US rules.

He cited the issue of ELT relief. Years ago when foreign nation states such as Russia began mandating that all transport category aircraft operating into their airspace be equipped with ELTs the ATA industry came to FAA via the MMEL IG PL process requesting MMEL relief. FAA initially kicked back stating since there was no US rule for ELT at that time they did not want to grant MMEL relief. John asked if that had now changed? Greg stated that since US operators are now recognized as operating all over the world FAA needs to ensure that relief extended is applicable to this expanding environment. Greg qualified this comment by stating it was his personal understanding and that he is not the FAA subject matter expert thus the request to remove the PL note or address 'other 'rules is the SMA responsibility, which he identified as AFS 410.

Action Item: FAA

Item remains OPEN.

IG 88

Action - Greg Janosik Provide update from FAA

Greg stated he has received an e-mail from the FAA lead on this subject reporting that the point of contention of industry on this PL, the Note that states SATCOM Voice is only a backup to normal HF comm, will be removed. He stated a few other minor changes which he referred to 'rounding off some rough edges' have been made. He states he see that it is posted to FAA comment grid as soon as possible. Dave Stewart (Air Transport Business Development) stated there is a corresponding Opspec that addresses the same subject that needs to be corrected too. Greg stated if the information is embodied into an Opspec then the PL may be archived and as there is no need for two documents addressing the same topic.

Item remains OPEN.

88-28: Heads Up Display (HUD) and Enhanced Forward Vision (EFVS)

Objective: Discuss need to draft a PL for HUD and EFVS

Item Lead: FedEx – John McCormick

Discussion:

IG-87: (No attachment)

John McCormick (FedEx) did not have a PL draft prepared for presentation, instead he outlined the intended scope, need for such a policy. He gave a description of the HUD / EFVS that FedEx is installing and then referred to other HUD systems that are been installed by other operators by STC or by manufacturers as TC equipment. He stated although they are different they all encompass the same basic functions, components and thus he felt a standardized MMEL for HUD and EFVS would be beneficial.

He stated these systems are already coming on line and there are already differences in MMEL relief. He stated since FedEx has been operating their system now for several years he felt FedEx could put together a PL have was very representative of industry overall. Todd Schooler (Cessna) disagreed as he stated they have a system that displays on the co-pilots FMS and thus not a separate overhead system. John stated that the FedEx HUD would not address that as it was a true overhead, heads up, with a synthetic overlay of forward vision that is being used to apply for low visibility takeoff and approach minimum approvals. He re-stated that although there are differences the basic functionality and thus a basic MMEL standard, particularly repair categories could be agreed too. He asked if the group could agree with that then he could draft a PL for group review. He opened the floor to discussion.

Todd Schooler re-emphasized it must take into account differences in operating rules. Gene Hartman (FAA LGB AEG) outlined several different types of HUD versus Enhanced Vision systems, particularly within the private and business jet community and it was also stressed that they are often standalone systems, HUD and Forward Vision Systems using different technologies. He concluded if PL was to be drafted it needs to encompass all technologies. John responded that he volunteered to put together a PL based upon his experience with the FedEx IR on HUD system but was not as familiar with other synthetic vision systems such as millimeter wave radar but he restated that they all have the same general functions and thus we should be able draft MMEL relief applicable to all.

An AEG member presented asked how was flight crew training of HUD/EFVS was being implemented. John explained how currently HUD/EFVS is in MMEL at D category level and crews are being trained and encouraged to use equipment enroute. He reported that as fleet becomes 100% equipped flight crews will be been given more specific training on using equipment in lower landing minima (LLM) environment and company is preparing to submit to FAA for Opspec authority to take credit for system. He reported at that time MMEL would have to reflect a C Category for repair.

88-28: Heads Up Display (HUD) and Enhanced Forward Vision (EFVS) (Continued)

Suggestion was made to split EFVS from HUD and have two PLs. Bryan Watson, (FAA SEA AEG) commented that they are required to be combined to take credit for takeoff and landing. He outlined the differences in enhanced vision, synthetic vision system (SVS) as compared to combined vision system (CVS). John asked Brian if it should therefore be a combined HUD/EFVS policy letter or a separate one for each, HUD and EFVS. Brian concluded he felt separate letters but he stated it would be dependent upon the technology used, SVS or CVS. He explained that SVS is a totally separate system from HUD while CVS is presented on the HUD combiner, etc. Brian stated that would be something that a workgroup can resolve.

Workgroup volunteers:
John McCormick – FedEx (LEAD)
Bryan Watson – FAA SEA AEG
Brian Holm – Alaska
Ray Adams - Alaska

IG 88

Action - John McCormick (FedEx) provide update of workgroup progress.

John stated that there are issues that still need to be resolved and he requests a postponement on presenting any drafts until next meeting.

Item remains OPEN.

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

88-29: FSIMS 8900.1 Rewrite Project: Volume 4, Chapter 4 (MEL)

Objective: Improve and clarify content of MEL Sections of 8900.1.

Item Lead: Greg Janosik FAA (AFS- 240)

Discussion: Industry and FAA inspectors continue to struggle with intent of various portions of 8900.1 MEL guidance.

IG 78 NOTE: Steve Kane advises that tentative start date for project is June, 2010.

IG 78:

8900.1 Vol4 Chpt 4 re-write project. Steve Kane reported that Bob Davis wants this section re-written starting this summer. Steve has been tasked with forming a working group along with industry involvement. The group will consist of industry and AEG.

Submit to Tom Atzert your name via e-mail if you wish to participate in this effort. Will be 2 face to face meetings and the rest will be telecon. Probably 3 from IG will participate, but more IG members may be involved to assist those chosen. Tom will organize telecon for those interested, and to select industry working group members.

IG 79:
Steve Kane updated the group on 8900 re-write. Meeting in Kansas City in mid July resulted in Part 91 being 85-90% complete. Third week in October for next meeting in Kansas City, work on Part 121 and 135 will begin. Rick Chitwood to fill in for Steve Kane during that meeting.

IG-80:
8900 re-write is in progress. Part 91 section completed and undergoing final review. Part 121/125/135 sections in work.

FAA took action to check on FAA review/approval process regarding an operator's submittal to add a new fleet type to their existing MEL program.

IG-81:
Greg Janosik AFS 240 briefed IG on progress of 8900.1 rewrite. Solid link between 8900.1 V4 C4 CDL MMEL and V8 C2 AEG and MMELs. AC 25-7A is the only published guidance on CDLs. He is looking for more published guidance. Reference MMEL IG 81 power point included with the minutes.

IG-82:
No updates given except FAA budget restrictions have led to no progress since last report.

88-29: FSIMS 8900.1 Rewrite Project: Volume 4, Chapter 4 (MEL) (Continued)

IG-83:

Greg Janosik (AFS 240) presented progress on combining the current 11 sections of 8900.1 Vol 4/ Ch. 4 MEL/CDL. In this process some 64 PLs are to be incorporated in 8900.

The rewrite to create only four new sections:

4-4-1: MEL for Part 91, sub-part K
4-4-2: CDL
4-4-3: MEL for all other Parts, 121,
4-4-4: NEF

Sections 1, 2, and 4 almost complete except for final review. Section 3 is 50% at time of this meeting. A workgroup session is planned for the end of MMEL IG. Plus one final meeting to be held 6-7 Sept in Kansas City. All four sections to be submitted to FAA Document Control Board for final internal intra-departmental review pending final approval in the month of October, 2011.

8900.1 Vol 8, Ch 2 the AFS / FOEB process has already been rewritten and it incorporates approximately 30 FAA PLs and when finally released these PL will go away. It broken out as follows:

Re-write of sections 3,4,5,6, 7 & 8

3-4 under review with AFS 200, 5, 6, 7 & 8 are with AFS 140 who were described as contractors (assumed to mean tech writers) who prepare and disseminate the document to the internal FAA departments. Thus it is a work in progress. No final date could be given.

Bob Wagner and Scott Hofstra requested a talk on the new section 1 to 8900 Vol 4 / Ch 4. that was just released 07/27/2011. FAA members present requested deferment of this discussion until the next morning.

IG-84:

Greg Janosik (AFS 240) outlined the progress, he stated section one, CDL, is completed, section two, Part 91 MEL, is under serious re-write, section 3, MEL for all Parts other than 91, is done, and section four for NEF is done. Once section two is done all four sections will undergo internal FAA AFS 200 review, then final inspection by the re-write group and on to the internal FAA Document Review Board (DRB). DRB turnaround time is typically 30 days and then posting to the Federal Register. Target date for final is end of December 2011.

It was questioned how long of a review the rewrite committee will have to review and comment. It was mentioned that they should save comments for the posting to the Federal Register. Some dissatisfaction was registered with the decision. Pete Neff (AFS 240) stressed it must go out on to the Federal Register as they have been directed to do so to show compliance with the Federal Administrative Procedures Act. He stated the Federal Register is the vehicle that is designed to keep and record comments and how the comments are resolved (similar to how the PL comment list document is now structured).

88-29: FSIMS 8900.1 Rewrite Project: Volume 4, Chapter 4 (MEL) (Continued)

Finally, Joe White (ATA) asked if the rewrite involved more than just 8900.1 Vole 4 / Ch 4 and Greg responded that it also included the AEG section known as Chapter 8, section two. He stated the rewrite significantly reduced that size of the manual and in doing so incorporates numerous Pals. Greg outlined that the Vole 4 / Ch 4 rewrite incorporated four PLs and the AEG chapter some 28-29 PLs. Comments were made that if the intent of having a PL is for flexibility of timely revision and dissemination of information, then is this lost once rolled into 8900 as when 8900, in order to address changes, must go out to Federal Register? Pete Neff outlined how in future even PLs that invoke a significant change in policy will need to go out to the Federal Register as well. He stressed this was still under much discussion as to how much flexibility AFS 200 will have on keeping the current handling of PL as they are, and their ability to determine what constitutes significant change.

Item remains OPEN.

IG 85: (Ref 8900 V4 C4 Rewrite Status)

Greg Janosik (AFS 260) started the he gave some erroneous information that the rewrite will be going to Federal Register by end of last month (Dec 2011) as that is now physically impossible to make it even by end of current month (Jan). He gave an update on where the re-write is at, all 4 new sections of Vol 4 / Ch 4 done, industry comments on which is being currently reviewed. He re-stated that documents were originally to go to FAA Document Control Board (DCB) in December. He states this milestone has not been met. He reported before further posting can happen the document must finish it way thru the internal (DCB), comments which have been extensive have to be answered and then back to tech writing contractors for finishing. He now projects contractors finishing final draft as late as Jun/July, Final internal FAA review and then Fed Register posting for comments, response to comments in late summer and published no sooner that Sept 2012 or later time frame

He then report that other portion of re-write, AEG guidance section Vol 8, Ch 2 sections 3,4,5,6,7 & 8, are with contractor and as yet no completion date. He reported the third part of 8900.1 re-write, AFS 50 International Branch section, is moving along but that all the three portions of 8900.1 will not be released until all are ready so the long pole appears to be the fact that all three still must go to Federal Register.

Item remains OPEN.

IG 86:

Please refer to minutes of IG Agenda item 86-24 for comments on this topic.

Item remains OPEN.

88-29: FSIMS 8900.1 Rewrite Project: Volume 4, Chapter 4 (MEL) (Continued)

IG 87:

8900 Vol 4/Ch 4 is under internal FAA review via the Document Control Board (DCB) process. Greg reports it is getting favorable comments at the moment. After the DCB it is scheduled go to AFS 140 and undergo contractor review, editorial work and then subject to a final formal comment and review and eventual sign off. He reports this can take up to six months to complete.

Greg then reported 8900 Vol 8/Ch 2, the AEG/FSB piece of document, is at his desk for review. He stated after his review he will forward it to DCB where it will follow the same sequence of actions already outlined that Vol 4/Ch 4 is currently undergoing.

Joe White (A4A) asked if there was a central point of contact in legal for review of documents undergoing DCB process. Dean Griffith (FAA Chief Counsel's office) stated if they are to be reviewed by legal then it would be his office. Greg Janosik clarified that would be AGC 220, Operations Law Branch, Regulations Division.

Action Item: FAA

Item remains OPEN.

IG 88

Action - Greg Janosik (FAA) provide update

Greg stated that unfortunately he cannot report any progress. He stated it has been out for comment internally at HDQ and he has received four comments that he needs to resolve but it has been sitting awaiting higher departmental consideration. He reports upper management has some higher priorities that have essentially stalled progress. He states one of the issues is one of document format. He also reported there was a management vacancy existed that has only recently been filled and he hopes this development will help move, advance the issue.

John McCormick (FDX) brought up a sore point for industry that of PLs have been archived and promised to be incorporated into 8900 rewrite. He stated that apparently some of folks in the FAA who are privy to the rewrite have reported that certain PL topics as they are incorporated have been changed and they are using their knowledge of change to deny relief. He was referring to archiving P-52, Category D. Members from AEG SEA are now denying Category D relief based upon new criteria they report is contained in rewrite. John requested a copy of draft of the AEG chapter. Greg stated he was unaware of any change. Greg reported the AEG guidance, Vol 8 draft, is not in a finished format but he will look into making available a copy of the Category D guidance as found in rewrite draft.

Paul Nordstrom (Boeing) stated he has a copy and informed John that what he seen in draft and also in knowing the particular FAA AEG members involved he doubted they could be persuaded to change their position in a way that would be suitable to satisfy John request.

Item remains OPEN.

88-30: PL-125 Equipment Relief Without Passengers

Objective: Provide two options for each of the eight items:

A.) Flight Crew only onboard, and

B.) Flight Crew and up to 19 persons allowed onboard with certain equipment limitations spelled out.

Item Lead: Bob Taylor – US Airways

Discussion: Present draft PL-125 for discussion.

IG-83:

Bob Taylor outlined background on this item that was originally proposed by America West to allow for carriage of persons onboard a passenger aircraft that was not able to conduct passenger operations but was planned to be used in a cargo only configuration. He stated at a previous IG it was proposed that existing PL be reviewed and updated as needed. He then outlined how PL 125 allows carriage of person other than passenger by listing the appropriate CFRs that allow that, i.e., 121.583, 121.547, 135.85, etc.

Bob went on to explain how after conferring with SEA AEG, Mr. Jim Foster, it had been proposed to break the PL out in descriptive terms of 'crew only' followed by 'crew plus up to 19 persons.' He stated that was where he became involved in PL drafting. He followed on with that after review of the 14 CFRs and taking Jim's concerns into account he broke out the provisos as a thru f. He then outlined how in the left column, item nomenclature field, was a listing of all the items of equipment previously addressed by the PL. He concluded with a request to the group if this breakout was helpful or if the existing PL 125 would suffice.

Group discussion began with issue that as presented it appeared that all provisos, a thru f, would need to be applied to all items. This was countered with the issue that the AEG Chairman would need to 'cherry pick' only the appropriate proviso(s) from the list. It was then outlined on how this approach had already failed. This was followed by re-hash as to why the PL was initially proposed in the first place and how by citing 121.583 were not acceptable.

Finally, it was suggested that to preclude multiple pages needed to show all the equipment items with their respective set of proviso conditions it all could be contained in a table. Bob states he will rework the PL draft and re-submit.

Item remains OPEN.

IG-84:

Chairman, Bob Taylor (US Air), requests this topic be held open until next meeting.

Bob T stated he had pass draft on to Greg J and Greg indicated there was one still an open item what he was awaiting

88-30: PL-125 Equipment Relief Without Passengers (Continued)

IG 85: (Ref. PL 125 R1 D1, and Justification for PL 125 R1 D1)

Bob Taylor presented revised draft PL 125_R1 draft and draft justification document that outlined how he had previously combined sub-items of individual pieces of equipment that may be inoperative, plus omitted some previous item as they are adequately addressed in other MMELs that allow passengers to be carried. He then presented a draft PL showing all new sub-items (9 in total) with their new provisos. The first two provisos, a) and b), have been retained from the existing PL; a new c) proviso was added requiring alternate procedures be established and used. Sub-items 2 and 8 have additional proviso(s) added. He outlined each and gave justification which is documented in the accompanying draft justification document.

Paul Nordstrom (Boeing) challenged need for proviso e) on sub-item 2, door slides, as unneeded due to persons to be carried are not passengers. Pete Neff (AFS 240) commented that proviso a) and b) needs to be changed to emphasize that when it states no passengers are carried it actually states carriage is of non-revenue passengers. This was challenged as not standard with authorizing FAR 121.583 which states non-passengers and the desire is stay in sync with FAR language. Bob asked Jim Foster (FAA AEG SEA) if this PL breakout was acceptable to AEG. Jim stated the Policy statement may need more guidance on why the PL is needed. He then concurred with Paul's comment on proviso e) for sub item 2 and it was agreed to strike it. Pete Neff stated since this type of operation will not necessitate the need for flight attendant to be onboard that a statement or policy guidance may need to address how safety briefings are to be accomplished. Bob responded that is purpose of having proviso that alternate procedures are established and used.

Action item: Jim Foster will provide guidance on why the need to break this equipment out for passenger carrying aircraft to Bob Taylor.

Bob Taylor to add the guidance provided by Jim Foster, and to delete proviso e) of sub-item 2 Door Slides, and then forward draft PL to Greg for posting.

IG 86: (Ref. PL 125 R1 D2 [removal of proviso e]; no guidance has yet been provided)

Bob Taylor presented a revised copy of PL 125 R1 D1 showing the deletion of proviso e) in sub-item 2) Door Slides, as was assigned in the action item from IG 85 (Ref. bookmark pl-125_r1_draft 2 2012-01-30 in IG 86 Final Agenda.pdf). Bob had not yet identified the draft as D2 due to the additional guidance previously deemed to be necessary by Jim Foster had not yet been provided by Jim Foster. Jim stated he did not have such as of that moment. Greg asked Jim Foster if he was still OK with draft as it’s currently written. Jim expressed some reservation but felt that he could not elaborate. Greg stated he would sidebar with Jim later. Bob Taylor is to identify the Draft as presented as D2 and forward to Greg without Jim’s additional guidance.

88-30: PL-125 Equipment Relief Without Passengers (Continued)

Action item: Bob Taylor – Identify changes made to D1 as D2, and forward to Greg
Greg Janosik – Sidebar with Jim Foster

IG 87: (Ref. PL 125 R1 D2)

Bob Taylor (US Airways) outlined a few issues raised by Greg Janosik (AFS 240) since last meeting. He stated that within the PL draft Discussion block Greg objected to the inclusion of the term "cargo." His contention is that PL has nothing to do with the topic of carriage of cargo but permission only to carry crew members and other authorized persons. Paul Nordstrom (Boeing) offered that the original intent of draft PL was indeed to clarify passenger carrying aircraft can carry cargo when they cannot carry passengers due to inoperability of certain passenger required equipment.

Kevin Peters (FedEx) also spoke up that he too believed that was the initial intent. He expressed that the draft PL did not clarify this point. He stated the current drafting seems to outline the permissible elements of CFR 121.583 and then concludes with statement "it has determined that an acceptable level of safety is maintained by this policy since it is allowed by 14 CFR Sections 121.583, 125.331 and 135.85. He stated this seemed redundant. Kevin concluded he would like to see a disclaimer that this PL is applicable to aircraft certificated as a passenger carrier only. This he felt would preclude any misapplication towards all cargo certificated aircraft.

Eric Lesage (Airbus) stated the certification of the aircraft determines the equipment that goes into its build. He then stated CFR 121.583 is only a waiver of other equipment that otherwise would be part of the type certification. He concluded that he felt this PL cannot do the same, wavier certification rule(s). Gary Larsen (FAA SEA AEG) reminded Eric that per 121.628 an approved MMEL constitutes a temporary change to TC.

Greg Janosik stated that he felt the listing in PL of what regs could be considered as waived because it has been already allowed by 121.583 was all well and good, but he mentioned the final statement of discussion block also listed 125 and 135 regs without the same level of justification. Someone within the group commented that review of 125 and the 135 rules shows that the same level of detail is not available. Instead these regs merely state" Carriage of persons without compliance with the passenger-carrying provisions of this part." Thus a similar 'laundry list' of waivered regulations cannot be accounted for in PL.

Action Item: Bob Taylor to include a clarification statement to this PL.

Item remains OPEN.

IG 88

Action - Bob Taylor to include a clarification statement to this PL and provide update.

Bob stated that this PL draft language has been hammered out of the past three years in an effort to clarify the intent of PL to allow passenger carriers to carry only revenue cargo when certain passenger required equipment is found inoperative and thus preventing them from carrying passengers. He outlined

how in previous meeting it was critiqued that as for Part 121 operations PL made specific reference to the requirements carried in 121.853, yet no details was given on the permissibility to carry persons without complying with all the passenger carry regulations when operating under Parts 125 and 135. He directed the group to review the addition of text that was recommended be add into PL that addresses that issue within a draft two to PL.

Greg Janosik stated he thought the draft two was an improvement but it will be FAA Legal who will determine the adequacy of change. He invited Bob to forward this latest draft to him for posting on the FAA comment grid.

Item remains OPEN.

88-31 PL 102, Cargo Compartment Smoke Detection and Fire Suppression Systems

Objective: To align the language in PL 102 with that of PL 108 R1 regarding the operator's ability to verify cargo compartments contain only empty cargo handling equipment, ballast, and /or Fly Away Kits.

Item Lead: Originally Bob Taylor, US Airways; transferred to Paul Nordstrom @ IG 87

Discussion:

IG-86:

The DISCUSSION section in PL 108 "Carriage of Empty Cargo Handling Equipment" indicates PL 108 was created to address concerns over previous attempts to clarify that air carriers have the ability to redistribute cargo handling equipment throughout their route structure via the introduction of an MMEL proviso stating "...affected compartment remains empty" and a NOTE stating "does not preclude the carriage of empty cargo containers, pallets, ballast, and cargo restraint components"; concerns were identified as:

- This will not allow them to carry cargo handling equipment because Notes, by their definition, "... do not relieve the operator of the responsibility for compliance with all applicable requirements. This can lead them back to the need to void the entire compartment and once again leave urgently needed ULDs and ballast, etc., at remote locations, disrupting their system, all because the proviso they are left to comply with is essentially "… Affected compartment remains empty."
- Other parties have also expressed concern that this note in MMELs lacks any creditable authority to ensure that inappropriate items associated with cargo handling are not also being loaded.

The POLICY section in PL 108 then addresses these concerns as follows:

> (O) May be inoperative provided procedures are established and used to ensure the associated compartment **or zone** remains empty, or is verified to contain only empty cargo handling equipment, ballast (ballast may be loaded in ULDs), and /or Fly Away Kits.
> NOTE: Operator MELs should define which items are approved for inclusion in the Fly Away Kits, and which materials can be used as ballast.

Bob Taylor pointed out that PL 102 "Cargo Compartment Smoke Detection and Fire Suppression Systems" has never been aligned with the language in PL 108, but continues to use the language reportedly to be the cause of the concerns documented in the PL 108 DISCUSSION section. Bob asked the group if this language should be aligned with PL 108, and the group agreed.

Action item: Bob Taylor – Revise the provisos and notes in PL 102 regarding cargo compartments and the carriage of cargo containers to align with POLICY as defined in PL 108.

IG-87: (No attachment available at distribution of minutes; one will be provided at meeting)

88-32 PL 102, Cargo Compartment Smoke Detection and Fire Suppression Systems

Lead assignment changed to Paul Nordstrom (Boeing) from Bob Taylor. Paul began by stated he had taken out some examples from PLs that Bob previously stated he had some concern about. He then referred to the issue of the notes contained in PL 102 which has been raised previously in the past, i.e., that notes by definition are not part of provisos, etc. He then had PL 102 presented on overhead. He then referred to PL 108 description of what is meant by compartment remain empty, that it does not preclude the carriage of empty ULDs or Fly Away Kits (FAKs). He thus concluded that he felt Bob wanted him to combine this later clarification into PL 102 at proviso level. He offered to draft new PL 102 and forward to Greg for posting for comment. Bob asked Paul to pass it through him first.

Thierry Vandendorpe (EASA) asked if the definition of what is permissible to be carried when compartment is listed as remaining empty included ability to leave an auxiliary fuel tank installed. He clarified that on Airbus' the auxiliary fuel tank is a basically a container shaped tank that rolls into the forward most position in the aft cargo compartment and thus occupies a position that otherwise would be cargo. Discussion pursued on whether once installed if this tank would be cargo or whether it is actually an extension of the aircraft structure; a part to the aircraft fuel system. It was suggested that once the auxiliary tank is installed the area of the cargo hold is re-defined. Kevin Peters (FedEx) asked if the definition that addresses carriage empty ULDs, FAKs, can be expanded to include aux fuel tank(s).

An AEG Chairman stated he was not comfortable with merely adding it to PL definition. Instead he felt that if an operator wanted to be granted MMEL approval to continue to carry this type fuel tank then it should be submitted via the FOEB process, and justify that its presence does not constitute a safety risk.

Paul discussion stated this later issue constituted what he referred to as a 'piling on' and thus out of scope of current draft. It was decided that as a minimum the term 'etc.' will be removed from PL.

Action item: Paul Nordstrom to provide new draft.

Item remains OPEN.

IG 88

Action - Paul Nordstrom (Boeing) to provide update

Paul stated he had forwarded the draft one of PL to FAA for posting. He stated the intent was to make this PL sync up with PL-108. He outlined how Boeing had standardized certain wording that he reports are more standard with the way their MMELs are worded. He stated the word 'ensure' from PL108 was changed to 'verify' and 'should' was changed to 'must.' He justified these by stating when Boeing writes MMELs for the AEGs they are not held to doing so verbatim but to make the words right as long as they meet the intent of PL. He stated that if the group was OK with these minor changes he intend to therefore open up PL-108 and make the identical word changes.

John McCormick (FDX) stated that he felt the use of the word 'verify' implied a certain level of action was needed. Paul concurred stating it triggers a maintenance requirement. He stated PL-108 did not carry an (M) symbol but he said he would add one when he opens the PL. He justified this stating it does

not need to be a mechanic to perform the duty. He stated anybody suitably trained can do the verification as per the master definition of an (M). Kevin Peters (FDX) objected strenuously stating the weight of wording is important and a 'must' implies that content has to spelt out clearly. He stated at his airline they refer to the kit's packing slip instead. The group stated that should meet all intent and thus not require a change in FedEx's MEL. Kevin then attacked Boeing's change of 'ensure' to 'verify' as the same grounds expressed by John. He stated this would potentially lead to delays as flight crews will be required to physically inspect that positions are voided, etc. The group again countered that was not necessarily so also.

Kevin then asked whether it was Paul's intention to open up PL-108. Paul stated yes. Kevin disagreed. Tim Kane stated he did not believe an (M) symbol is warranted. Discussion on who should be performing the verification continued. Kevin cautioned the opening of PL-108 stating it works well as written, and re-opening it leaves the door open to unnecessary re-valuation with potential negative consequences. Greg Janosik also cautioned opening PL-108 stating FAA HDQ has started to take a dim view of change for change sake and would probably re-consider the soundness of the PL. It was therefore agreed that change would be limited to just matching PL-102 to wording of PL-108 rather than standardizing both to Boeing's preferred phraseology.

Item remains OPEN.

88-32: MMEL relief for Emergency Escape Path Marking Systems

Item Lead: Tom Atzert (UAL)

Discussion: The issue is that relief is provided for these systems in a similar manner across MMELs, The issue is that relief is provided for these systems in a similar manner across MMELs, which basically allow relief for redundant bulbs, assemblies or strips that are not required to meet minimum certification lighting requirements. However, Emergency Escape Path Marking Systems are not required for Part 91 or Part 125 and for those operations, the MMEL should provide relief for any or all parts of the system.

IG 88

Dave Burk (Aerodox) opened discussion stating the vast majority of MMELs have the same set of basic provisos that state limitations and conditions of applicable STC are observed. That works well for Part 121 operators. He stated the problem surfaces when applied to Part 91 or 125 operations. He outlined a situation where an operator had two identical type aircraft, one with the system installed, and one without. He stated the system is not required by regulation on Part 91 operated aircraft some STC holders have not provided the necessary data to support the MMEL. Tom Atzert (UAL agreed and stated he and Dave wanted the group to entertain opening up a PL on subject.

Gene Hartman (FAA AEG LGB) that he felt the STC information is usually readily available. Tom stated that even at his airline (UAL) they have experience this with older installation. He cited an example of cabin retrofit of B747 where they were unable to get the STC data from the original installation. Todd Schooler stated their STC information is not readily disseminated as it is proprietary and he stated thus the MMEL are not all appropriate. Paul Nordstrom (Boeing) also stated that they do not address systems retrofitted onto their aircraft. He stated this MMEL language came into existence before system was regulatory required and STCs initially provided the system.

Paul stated MMELs needed one more mode of relief that states ‘may be inoperative provided not required by CFR’. Question was raised, does that need to a PL or should it be something addressed via each MMEL thru the FOEB process. Greg Janosik state he did not see a PL needed. Dave Burk countered that the FOEB process takes too long to address and does not ensure standardization across MMELs. Discussion of pro and con of both approaches continued with no agreement. Dave stated some of these MMELs are many years out of date. Greg again stressed he felt no PL warranted. He stated FAA HDQ will not issue a PL as a means negating the need to update an MMEL. He challenged the group to better define what they want to change as he heard no concensus from the group. Dave Burk stated he will canvass the AEG groups and bring feedback on AEGs preference, fix the masters or open a PL to next meeting.

Item remains OPEN.

88-33: FAA / EASA MMEL Harmonization

Objective: Monitor the status of FAA/EASA Harmonization initiatives regarding MMELs.

Item Lead: Greg Janosik (FAA AFS 240) and Colin Hancock (EASA)

Discussion: FAA MMEL Procedures Manual discussed at IG 60. AEG SEA and AFS 260 will review the FAA MMEL Procedures Manual and report back to the IG.
IG requests this manual be formally accepted as FAA policy.

IG-78:
Emilie Marchais from EASA stated no updates because of cancellation of a meeting in Europe due to travel problems associated with recent volcanic activity.

IG-79:
Pete Neff updated the group that the EASA MMEL policy document will be made available on the EASA website around April 2011.

IG-80:
Pete Neff reported EASA is currently re-writing their regulations -certification specification (CSMMEL). April 2011, rule should be out for comment. April 2012, rule should go final. EASA MMELs are OEM owned and managed where as FAA MMELs are FAA owned and managed.

IG-81:
Jim Foster was not in attendance, but Thierry Vandendorpe updated the IG on EASA. He stated they are developing certification specification by choice, very similar to FAA policy letter guidance. The CS MMEL will be the responsibility of the OEM, not EASA.

In US, FAA is responsible for the MMEL.

IG-82:
Jim Foster (AEG SEA) had no updates to report. Colin Hancock (EASA) spoke to development of EASA MMELs. He stated the draft document on the topic will be posted to EASA website for public comment within the next two weeks.

FAA Lead was transferred to Pete Neff (AFS 202) from Mr. Foster (FAA SEA AEG). Pete spoke to the differences in the FAA, EASA rules and procedures. He stated both parties have compared their individual rules have come to agreements in some areas thus narrowing the differences where disagreement still exist. Perrick Pene (Airbus) stated how as a manufacturer they, Airbus, cannot build or support two different standards.

Overall good progress has been achieved and further meetings are planned.

88-33: FAA / EASA MMEL Harmonization (Continued)

IG-83:

Emilie Marchais (EASA) reported that very soon, I believe she stated by the end of this week (19 August 2011), that the details on Certification Specification MMEL (CS-MMEL) will posted on the EASA website as Notice of Proposed Amendment (NPA) No. 2011-11 document. This document provides the details on how manufacturers are to use certification standards, statistical analysis tools, to develop an aircraft MMEL. This is supposed to become effective in the September timeframe. Todd Schooler (Cessna) interjected that these MMELs were to be just developed and maintained but owned by the manufacturer, not EASA. To this Emilie concurred.

For further information, please refer to attachment "CS-MMEL.pdf" which outlines the certification specifications, acceptable means of compliance and guidance material related to development of an EASA MMEL. (This is the content of NPA No. 2011-11 document referenced above).

IG-84:

Pete Neff (AFS 240) stated how Thierry Vandertroppe (EASA) had already outlined the EASA MMEL must be developed and maintained by the manufacturer and EASA maintains approval over content of MMEL. He also mentioned how EASA has published (stated) that an approved MMEL constitutes a temporary change of type design. He when on to describe a series of meetings held on international Flight Ops Evaluation Board (FOEB) process. These meeting have been attended by five international regulatory agencies representing, US, EU, Canada, Brazil and China; all five are trying to come up with a harmonized process for joint FOEBs.

Paul Nordstrom (Boeing) asked that if Airbus has stopped producing section three data and was requiring use of the AMM, then where do operators publish their (M) procedures, in the MEL, or in a separate document, or reference the AMM? Bob Taylor indicated US Airways sometimes utilizes AMM Task references, and sometimes utilizes the Airbus MMP, which he described as a 'sort of section three', that allows them (US Airways) to continue to place a procedure within the MEL. Tim Kane (Jet Blue) spoke to his preference to using the MEL too. Paul then asked how reactivation is addressed. Tim stated MEL does not address this; operator uses AMM R&R procedures, etc. Mike Bianchi (ATA) reported that in his experience many operators publish how to sign off an MEL in their GMM MEL program.

IG-85:

EASA representatives were not present thus item held over until next meeting. Discussion was held on one EASA development, implementation of CS MMEL (refer to agenda item 85-30).

IG-86: (No attachment)

No updates for this meeting. Item remains OPEN.

88-33: FAA / EASA MMEL Harmonization (Continued)

IG-87: (No attachment)

No Update given.

Item remains OPEN.

IG-88: (No attachment)

Collin Hancock (EASA) stated frankly there are no harmonization efforts underway. It was determined that agenda item serves no purpose any longer.

Item CLOSED

88-34: PL-31 MMEL Format Specifications – "Next-Gen" MMEL Specs

Objective: Align PL-31 with new XML MMEL product.

Item Lead: Walt Hutchings, MKC AEG

Discussion:

IG-78:
Steve Kane briefed the group on the movement of all PL's to FSIMS site by the end to the year. Web view will be very similar to what is seen today for PL's on the OPSPECS web site.

IG-79:
XML schema is in OKC (ATA spec 2300). Final schemas to be published in about 2 months.

IG-80:
Walt not in attendance, Bryan Watson stated that Walt is trying to push IT for a "go" date.

IG-81:
Walt Hutchings was not in attendance, no update.

IG-82:
FAA representative present stated some general agreement on new schema has been reached with AEG but actual details could not be outline as Lead, Walt Hutching not present. Group general discussion was held on various schemas have been hatched by different entities, Boeing DDG as one, the above referenced ATA scheme another. It was stated that there are several other similar projects such MMEL numbering schema that fall in this same arena, different approaches being pursued. Jim Foster (AEG SEA) stated he recently spoke to Walt and was informed that the progress is in limbo due to FAA budget cuts.

IG-83:
Walt Hutching has reported to Greg Janosik (AFS 240) that the project is on hold due to FAA funding issue.

IG-84:
Greg Janosik (AFS 240) reconfirmed that this subject is in abeyance due to lack of FAA funding.

IG-85:
On hold, FAA Funding issues. - Item remains OPEN.

IG-86:
On hold, FAA Funding issues. - Item remains OPEN.

IG-87: (No attachment)
On hold, FAA Funding issues. - Item remains OPEN.

IG-88: (No attachment)
FAA Provide update. - Item remains OPEN.

Greg Janosik (AFS 240) asked the group for an explanation of intent of this agenda item. Tom Atzert (UAL) stated he understood it was originally placed in the agenda as FAA was some time ago planning to migrate the MMEL into an XML structure which necessitated a change in the format of MMELs. Tim Kane (JetBlue, Industry Chair) said he thought it was in regards to MMEL chapter, page template re-design. Greg stated that those initiatives have all stopped by the ongoing FAA funding issues.

Tim added that this is a topic in regards to PL 31, MMEL format standards. He explained how FAA periodically will update the MMEL standards. He described how FAA also has expriemented with different page templates. He outlined some to evolution of MMEL formats. Todd Schooler stated with advent of electronic displays a new format, introduction of color coded text, has been introduced to emphasize changed text. Brief discussion on how color reproduces if printed versus displayed online has had. Finally, it decided to hold the agenda item open until next meeting when FAA Lead can update group.

Item remains OPEN.

88-35: Conversion of FAA MMEL Documents to XML (MMEL Transformation)

Objective: To streamline the process of formatting MMELs to upload on FAA server.

Item Leads: Bob Davis AFS-260

Discussion: Working Group formed to develop MMEL XML schema. Group is to report progress at each IG meeting.

IG-78:
Walt Hutchings reports that operator MEL compliance tracking and reporting functionality has been tested and soon to be deployed. Notice that will go out to field offices has been written, and is awaiting final coordination before sending out. AEG authoring/publication tools about two thirds complete.

IG-79:
Mr. Paul Conn from ATA spoke to the group about work being done with XML schemas as they relate to ATA Spec 2300. FOIG group schema is set and should be released within several months.

IG-80:
Pete Neff stated that meetings are ongoing in DC and an update is likely at next IG meeting.

IG-81:
Bob Davis – This is still in work and will likely occur in 2012. Paul Nordstrom stated that there are two different MMEL "word templates' out there for use and was expecting to see one eventually.

Other thoughts included discussion about Spec 2300 Schema (is completed) and Boeing, Airbus and FAAs need to eventually synch up.

IG-82:
Similar discussion as that held on previous agenda item 82-13. Lead Walt Hutchings not present. Program on hold due to budget constraints.

IG-83:
Project is on hold due to FAA funding issue.

IG-84:

Greg Janosik (AFS 240) reconfirmed that this subject is in abeyance due to lack of FAA funding.

IG-85:
On hold, FAA Funding issues. - Item remains OPEN.

IG-86:
On hold, FAA Funding issues. - Item remains OPEN.

IG-87: (No attachment)
On hold, FAA Funding issues. - Item remains OPEN.

(Continued)

88-35: Conversion of FAA MMEL Documents to XML (MMEL Transformation) (Continued)

IG-88: (No attachment)

Tom Atzert (UAL) stated this agenda item goes hand in hand with previous agenda item 88-34. He stated if and when FAA updates the MMEL to an XML scheme it will need to be documented in PL 31.

On hold, FAA funding issues – Item remains OPEN.

88-36: New MMEL Proposal System

Objective: Volunteers needed to submit MMEL items through a new MMEL proposal program.

Item Lead: Walt Hutchings

Discussion:

IG-80:
Walt not in attendance, Bryan Watson stated that Walt is trying to push IT for a "go" date.

IG-81:
Walt Hutchings not in attendance updates deferred to next IG meeting.

IG-82:
No updates.

IG-83:
This item to remain OPEN. FAA funding issue.

IG-84:
No change – Greg Janosik to check if any updates are available regarding the funding issue

IG-85:
On hold, FAA Funding issues. - Item remains OPEN.

IG-86:
On hold, FAA Funding issues. - Item remains OPEN.

IG-87: (No attachment)
On hold, FAA Funding issues. - Item remains OPEN.

IG 88:

Greg Janosik (AFS) stated he understood MMEL currency system that is now out in use in the field offices is a part of this agenda topic as it is designed to handle much more functionality than just MMEL currency yet due to funding issue the expansion of system has not gone forth. It was described as also related to previous agenda item 88-35, MMEL conversion to XML. If and when that issue is re-activated this issue will too.

Gerg Shutterly (FAA) will request an update for next IG meeting from Walt Hutchings.

Item OPEN

88-37: ATA MMEL/MEL Value to Industry Survey

Objective: To determine overall $$ value of MMEL / MEL to industry. Once the value is determined, provide the numbers to upper management via ATA EMMC. The financial contribution the MMEL IG makes to industry is significant and this needs to be communicated properly to upper management.

Item Lead: Mike Bianchi/ATA

Discussion: Task ATA to provide updated numbers on the value of MELs to our industry.
ATA (Mark Lopez) will work with UA (Tom Atzert) to develop survey that will be used to collect the data needed to determine the value.

IG-82:

Dave Landry (DAL / ALPA) stressed the value of the MEL, that collection of this data should be of great value and the survey should be something everyone should support. It was requested that ATA HDQ again send out the survey. It was questioned if this will be a new version of survey or old one. Apparently there is no plan to revamp the existing survey.

IG-83:
ATA representative not present.

Item remains OPEN.

IG-84:

Mike Bianchi (ATA) stated a revised survey was available and he inquired as to how it should be distributed. E-mail was the response. Tim Kane (Jet Blue) brought up the topic of an IATA survey on MEL deferrals that is apparently different in nature to the ATA value to industry survey. Scott Hofstra (UPS) states it asks questions such as size of operator fleet, average number of MEL deferral per day, average time to clear MEL deferrals, etc. He offered to forward it to Mike Bianchi at ATA.

Item remains OPEN.

IG-85:

Mike Bianchi reported A4A has put out a survey to the airworthiness committee and feedback will be provided to the IG group when it is available. Bob Taylor asked if this agenda item should remain open, and when will results be available. Mike inferred he expects something should be available by the next meeting. Tom Atzert (UAL) requested if a copy of survey could be made available. Mike offered to send it out for the IG group to review.

Item remains OPEN.

Action item: Mike Bianchi, A4A

88-37: ATA MMEL/MEL Value to Industry Survey (Continued)

IG-86: (No attachment)

Mike Bianchi (A4A) reported that due to computer 'malfunctions' he does not have any output to present to the IG at this time.

IG Industry Chair's Note – Mike Bianchi has since departed A4A following IG 86; the position of MMEL IG A4A Chair is now held by Joe White.

Action Item: Joe White – Provide A4A survey to the airworthiness committee and feedback to the IG group

IG-87: (No attachment)

Joe White (A4A) stated A4A was working to collect data via survey to determine cost / value of having an MEL program. He stated it was an A4A initiative and he asked that was there any other entities interested in collection of this information. No one in the group spoke up. Joe outlined the some of the working tasks A4A was working on for behalf of the industry; he mentioned that the EMMC has been requesting an assessment of the value an operator gets from having an MEL program. He then stated he hoped that other parties had expressed similar interest, or if it was just an internal, A4A, interest. He stated he knew that there have been attempts in the past at such a survey. He mentioned one that involved the capture of the length of time MELs were being used.

He outlined how A4A was planning to add a staffer to re-engage in survey collection activity. He stressed he felt there was value of the MEL program that needs to 'keep in the fore front.' He stated we all should be concerned about the cost saving the program delivers. He lists off costs industry would go thru without the benefit of MEL program. How funding of support groups like the AEGs, etc., can be justified by knowing the value of the program.

Action Item: A4A

Item remains OPEN.

IG 88

Representative for A4A stated that with recent personnel changes occurring there has been little to no action on the advancement of survey. He stated he has been researching the past history of survey and outlined how previous surveys focused on cost of delays and cancellations avoided. He referred to as very rudimentary, simplistic. He stated he wants know how in detail the group would like to take this. He wants to get a draft prepared for next meeting. He asked who in industry wants to participate. Tim Kane (JetBlue – Industry Chair) outlined how the saving demonstrated for his airline was of tremendous benefit. General discussion on scope and outcome of last survey was discussed. The A4A representative requested carriers who previously provided data to send whatever details they can so he can evaluate how previous survey was conducted.

Item remains OPEN.

Agenda for MMEL IG 88

November 7 & 8, 2012 **UPS - Louisville, Ky.**

New Business items

IG 87

PL 119: Gene Hartman spoke to the two part MMEL introduced by PL 119. He stated it was created by Bombardier as Lead for Part 91. Gene stated oversight on PL has passed on the Kansas City AEG office thus he could not speak to the issue so he referred topic to Greg Janosik (AFS 240). Greg stated FAA has received a letter from Bombardier that was requesting inclusion to Part 121 into the PL 119, Two Section MMEL. The Two Section MMEL has a section one, LRU deferral items, as is the basic structure of all current 121 MMELs, and a section two that is an EICAS message orientated deferrable items section. Greg stated he had sought the position, stance of AEGs, and he has drafted the FAA response but it is yet to be signed or delivered so he is only at liberty say any more than to confirm the issue has surfaced and been evaluated.

IG 88

Tim Kane (JetBlue – Industry Chair) stated this item is actually a carryover from last meeting. Greg Janosik stated there was no update to the PL 119 topic. Todd Schooler (Cessna) requested the agenda item remain active as they want to expand the concept to address annunciator equipped aircraft.

Item remain OPEN.

IG 87

PL 72: Wing Illumination Lights: Gary Larsen (FAA SEA AEG) stated that after latest revision to PL 72 came effective he noted it did not account for the existence of standing ADs. He did not have the AD number(s) but stated it addresses operations in severe icing condition and that there was a wide spectrum of aircraft operated under all Parts, 91, 135, 121, etc. He cited another regulation that states item(s) required to be operative cannot be given relief under MMELs. He outlined how the PL categorizes the MMEL relief into different configurations, differentiated by whether or not aircraft that ice detection system is installed, and / or whether or not wing leading edge are visible from the cockpit. He stated the PL has a GC header assigned and that gives an operator license to apply the MMEL relief and then could be in possible violation of an AD.

He stated he did not know what was the best approach to fix this? He stated a possible solution was to remove the GC header or add additional provisos that ensure AD requirements are addressed. Tom Atzert asked if Gary could list off the aircraft affected by these ADs. Gray stated they were predominately older model turboprop aircraft without power control. He listed off the aircraft. He stressed while majority were smaller aircraft some such as the Saab 2000 were potentially capable of being employed in large air carrier status.

Greg Janosik stated he wanted Gary to revise PL, send to Greg for posting. Greg stated he will only leave it out for posting for a very limited time. Plus he stated that this is the type of subject matter that he felt FAA would have to issue an FAA Notice with amended PL to instruct POIs to review their operators MELs reflect the corrected relief.

IG 88

PL 72 is also a carryover from last meeting. John Pinnow (FAA AEG SEA) spoke on behalf of Lead, Gary Larsen. He will ensure Gary is aware of the comments that have thus far been posted to FAA comment grid and that he needs to respond for next meeting.

Topic of problems with making comments to documents posted on the FAA comment grid was discussed. It was stated comments need to be forwarded to George Ceffalo (AFS 240) and not to the submitter. Yet both e-mails apparently are listed and it was stressed that while in important to communicate with the submitter nobody will be aware of it unless it gets to George for uploading.

Paul Nordstrom (Boeing) asked if the draft on web site for comment was considered acceptable. Todd Schooler (Cessna) stated he felt the relief offered was not good at all. Some on the details were discussed and Paul requested PL be withheld from it going final until after comments are addressed at next meeting

Item to remains OPEN.