

PUBLIC COMMENT - DOCUMENT REVIEW LOG

1. Document No.: AC 21-55, Process to Support FAA Findings of Undue Burden for PAHs Requesting to Use Manufacturing Facilities Located Outside of the United States		2. Project Lead: David Magruder, AIR-143, (202) 267-1627		3. Reviewing Office (Name and Phone Number):		4. Date of Review:		5. Date of AIR-100 Disposition: June 17, 2016	
Item No:	Page and Paragraph No:	Comment:	Reason:	Recommendation:	AIR-100 Disposition:				
1.	Global. GE	<p>In both documents terms are used that are important to understanding the FAA's intent in identifying undue burden situations. Yet these terms are not defined either directly or by reference in the documents. The terms we are referring to are: "critical part or process", "critical or high risk parts", both found in the draft order; as well as in the draft AC the terms "critical characteristics", "critical functions" and "exotic materials".</p> <p>In the way, and where the terms are used (and with no explanations or references) in these drafts it is difficult to determine whether "critical" and "high risk" are related to the subject part's function in the product or in its manufacture. And we cannot find any FAA use of the term "exotic materials"</p>	All of this means that neither the order or its AC will provide good direction or guidance on this aspect of understanding and determining undue burden, leading to applications being subjective and variable.		Adopted. Added note referencing language found in 21.139(c)				

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		anywhere else. GE Aviation			
2.	Bell Helicopter	<p>Comments from Bell Helicopter regarding FAA AC 21-XX - Process to Support FAA Findings of Undue Burden for PAHs Requesting to Use Manufacturing Facilities Located Outside of the United States:</p> <p>Comment: It is our recommendation that the undue burden letter should not apply if the activity is delegated to the ODA.</p> <p>Rationale: We currently have been providing letters to the FAA for foreign activities and it adds no value because our EFUMs will be conducting the activity as we have been delegated.</p>			<p>Partial concurrence</p> <p>Subpart D of 14 CFR part 183, Representatives of the Administrator, contains the regulations for ODA activity, and there is no requirement for any undue burden determination in part 183. However, export airworthiness approvals issued outside the United States by an ODA (or any other designee) will require an no undue burden finding per § 21.325(c).</p>