

Comment Disposition Report

Comments from:
Public

Document number: NXXXX.XX TCDS notes

Document title: Notes used in Type Certificate Data Sheet (TCDS).

Commenter	Page, Parag	Comment	Rational	Recommendation	Disposition
Comment Disposition Category: 1 - Adopted					
Boeing Co. Terry L McVenes Comment Number: 1	Page 10 Chapter Section 7 Par. Sub-Par. Table Fig. Appendix	While we have no objections to the objective of the Notice, we do have concerns regarding the requirement calling for a complete review of all TCDS and correction of all noncompliant TCDS notes "by the end of 1 year from the date of issuing the Notice." We expect that, given the FAA using safety-risk as a method to set priorities for their statement of work, the Aircraft Certification Offices and Oversight Offices will require more than a year to accomplish this task		We recommend that the completion deadline be extended to 1.5 or 2 years. Our enclosed comments provide more details about our concerns.	1 - Adopted Adopted Revised paragraph 7 to set priorities for TCDS notes to be revised. Only TCDS notes that violate regulations will be revised within one year. Extend the time for revising of non regulatory violation errors to beyond one year.
Embraer S.A Paulo Monteiro Comment Number: 1	Page Chapter Section 5 Par. 5.b Sub-Par. Table Fig. Appendix	The second sentence implies that TCDS notes, in and of themselves, are enforceable. Only regulations are enforceable. Later in the draft order (Paragraph 6.a(2)), this is made clearer. To avoid misunderstanding about the legal status of notes		Embraer believes that the second sentence in Paragraph 5.b should be deleted.	1 - Adopted Adopted: Paragraph 5.b., 2nd sentence deleted
Embraer S.A Paulo Monteiro Comment Number: 2	Page Chapter Section 7 Par. Sub-Par. Table Fig. Appendix	Paragraph 7. There are likely several thousand TCDSs in existence, each of which would require review, so Embraer believes that a one-year time to review and revise all TCDSs is not practicable.		A longer period (like 36 months), with a plan to review the largest and/or most active fleets first, would be more feasible.	1 - Adopted Revised paragraph 7 to set priorities for TCDS notes to be revised. Remove the 1 year limit.

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Gulfstream Aerospace Steve Cottrell Comment Number: 6	Page Chapter Section 7 Par. Sub-Par. Table Fig. Appendix	Implementation	The timelines proposed are too aggressive and do not account for FAA ACO workload. It is unlikely that these criteria could be met without diverting key resources from critical FAA tasks.	Recommendation: In lieu of 60 days for a plan to correct, allow ACO's 1 year.	1 - Adopted Revised section 7 to remove the 1 year limit requirement

Comment Disposition Category: 2 - Partially adopted

Embraer S.A Paulo Monteiro Comment Number: 3	Page Chapter Section 6 Par. 6.b Sub-Par. 6.b(2) Table Fig. Appendix	Listing of required placards in the AFM is not a common practice in transport category airplanes, so the proposed text for Note 2 would have little value for these TCDSs.		Embraer believes that the text commonly used for Note 2 in these airplanes is also generally applicable and would suffice for all types of aircraft:	2 - Partially adopted Revised the italic sentence to read: "All placards required by either FAA Approved Airplane Flight Manual, the applicable operating rules, or the Certification Basis must be installed in the airplane".
GE Aviation Sarah Knife Comment Number: 1	Page Chapter Section Par. Sub-Par. Table Fig. Appendix General	We wanted to clarify whether the notice will require any action by the certificate holders as part of the "review and correction" process for existing TCDSs	Reviewing every existing TCDS within a year seems a challenging task for the FAA; if multiple stakeholders are engaged, a year may be too short		2 - Partially adopted 1. Answer: This notice is written to provide FAA employees additional instruction to write proper TCDS. There is no action required from TC holder. 2. Adopted: revised paragraph 7 to set priorities for TCDS notes to be revised errors to beyond one year.

Commenter	Page, Parag	Comment	Rational	Recommendation	Disposition
Comment Disposition Category: 3 - Non-Concur					
Embrear S.A Paulo Monteiro Comment Number:	Page Chapter Section 6 Par. 6.a Sub-Par. 6.a(2) Table Fig. Appendix	The FAA's intent in including the means of compliance used in certifying a product ("...or substantiated by test data, computation or common industry standards.") in the same sentence as information about the legal status or enforceability of a note is not clear.		Embraer believes that the intent would be easier to understand and legally correct if this paragraph were revised to read "All requirements in the notes must be corroborated by a regulation or substantiated by test data, computation or common industry standards."	3 - Non-Concur This paragraph does not discuss the means of compliance used in certifying a product. It only provides instruction to write a proper TCDS note. The intent of this paragraph is that any requirement must have a reason, either legal (regulation) or safety (substantiation data)
Gulfstream Aerospace Steve Cottrell Comment Number: 1	Page Chapter Section 6 Par. 6.a Sub-Par. 6.a(7) Table Fig. Appendix	“Avoid unnecessarily repeating general FAA procedures in the note. General regulatory requirements covered by the type certification process do not have to be repeated in notes” The reason these notes have been added to TCDS is to emphasize the need, particularly in areas that may not be readily apparent, that there are features critical to safety that require special emphasis.		Rephrase the paragraph to state: “Avoid unnecessarily repeating general FAA procedures in the note, except in areas that are novel or unique and may not be readily apparent to the aviation community as being critical to safety.”	3 - Non-Concur The recommendation suggested to unnecessarily repeating general FAA procedures in certain conditions. The TCDS should specify specific information applicable to the areas that are novel or unique and may not be readily apparent to the aviation community as being critical to safety.
Gulfstream Aerospace Steve Cottrell Comment Number: 2	Page Chapter Section 6 Par. 6.a Sub-Par. 6.a(9) Table Fig. Appendix	“Do not include marketing information in the note of the TCDS.”	Additional clarification is often warranted when it is necessary to provide references to marketing information and designations of aircraft models. The example given clearly shows that the marketing information is not appropriate. However, marketing names often change over the life of the product and therefore, clarifying the marketing or common name of the product instead of the TC nomenclature on the TCDS is of value and should be allowed when it provides required clarifications to marketing designations.	This Notice should provide an example for the proper use of marketing names.	3 - Non-Concur The original sentence instructs the author of the TCDS to avoid marketing information, not marketing name, to avoid the perception that the FAA promotes any particular company.

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Gulfstream Aerospace Steve Cottrell Comment Number: 3	Page Chapter Section 6 Par. 6.b Sub-Par. 6.b(3) Table Fig. Appendix	“Avoid language promoting a TC holder or their suppliers as the sole source for maintenance or overhaul.”	This sentence appears inappropriate for a FAA Notice. These types of issues should be addressed outside of this FAA Notice.	Recommendation: Strike sentence in its entirety.	3 - Non-Concur 1. Instruction to avoid a certain language is appropriate in a document guiding FAA employees in how to write the TCDS. 2. Cannot strike this sentence from the Notice because this is the instruction for the writer of the TCDS not to violate 14 CFR §43.13a.
Gulfstream Aerospace Steve Cottrell Comment Number: 4	Page Chapter Section 6 Par. 6.b Sub-Par. 6.b(3) Table Fig. 1 Appendix	“It is contrary to 14 CFR parts 43 and 21 to include a note that all repairs or modification schemes must be approved by the TC holder prior to FAA approval.”	The intent of this should be clarified to reflect the proper requirements.	Rewrite item (b) to read in a more proactive, factual manner such as: “(b) In accordance with 14 CFR parts 43 and 21 all repair or modification schemes must be approved by the FAA.”	3 - Non-Concur This instruction emphasizes that the note: “all repairs or modification schemes must be approved by the TC holder prior to FAA approval” violates 14 CFR parts 43 and 21. This instruction does not intent to state a requirement of the above mentioned regulations. The general approval process of repair or modification does not belong in the TCDS.
Gulfstream Aerospace Steve Cottrell Comment Number: 5	Page Chapter Section 6 Par. 6.a Sub-Par. 6.a(2) Table Fig. Appendix Note 12 in Fig. 1	“Manufacturer’s service bulletins or other instructions covering matters of special interest. Carefully use language to avoid promoting TC holder monopoly. Cite relevant regulation to support FAA approval of the service bulletin or instruction.”	The part of the note dealing with “avoid promoting TC holder monopoly” appears inappropriate for an FAA Notice. This issue should be addressed outside of this FAA Notice.	Strike the portion of Note 12 which states, “Carefully use language to avoid promoting TC holder monopoly”.	3 - Non-Concur This notice provides additional instruction to FAA employees who write the TCDS. This instruction is necessary to address a common problem in many existing TCDS.

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Comment Disposition Category: 4 - Concur out of scope					
Savvy Aviator, Inc. Mike Busch Comment Number: 1	Page Chapter Section Par. Sub-Par. Table Fig. Appendix General			I would like to recommend that the above-captioned Draft Notice be expanded to include a broader discussion of the appropriate use, applicability and enforceability of TCDS information in general, particularly in the context of maintenance guidance.	4 - Concur out of scope This is an AIR-110 additional instruction for FAA employees to write proper notes in the TCDS. This document does not address the enforcement of the data content in the TCDS. The enforcement is addressed in AFS Order 8620.2A.
Savvy Aviator, Inc. Mike Busch Comment Number: 2	Page Chapter Section Par. Sub-Par. Table Fig. Appendix General	I have found that the overwhelming majority of mechanics, I, As and Directors of Maintenance were taught incorrectly -- and believe unquestioningly -- that any maintenance guidance called out in a TCDS is inherently compulsory and required by regulation.			4 - Concur out of scope 1. Data in the TCDS are FAA approved. However, one FAA approved data does not preclude other data that are acceptable or approved by the FAA. Therefore the maintenance guidance called out in the TCDS is only one of many approved method. 2. Training issue is outside the scope of this notice.