



U.S. Department
of Transportation
**Federal Aviation
Administration**

Transport Airplane Directorate
1601 Lind Avenue SW
Renton, Washington 98057-3356

Exemption No. 9722A
Regulatory Docket No. FAA-2008-0114

May 18, 2012

Mr. David McDonald
Vice President of Operations
Aeronautical Engineers, Inc.
7765 NW 54th Street
Miami, FL, 33166

Dear Mr. McDonald:

This is in response to your letter dated February 2, 2012, petitioning the FAA for relief from Title 14, Code of Federal Regulations 25.810(a)(1) and (a)(2). The FAA has determined that a letter grant of amended exemption to Exemption No. 9722, to which your petition applies, is the most expeditious approach. The amended exemption would additionally allow supernumeraries to use emergency-exit escape ropes in lieu of emergency-exit slides in the door 1 area on cargo-converted Boeing Model 737-300 and -400 airplanes.

The petitioner requests relief from the following regulations:

Section 25.810(a)(1), at Amendment 25-114, requires self-supporting emergency exit slides for passengers.

Section 25.810(a)(2) provides that flightcrew may utilize an escape rope for emergency egress.

The Basis for Our Decision

The petitioner has requested relief from the requirements of § 25.810(a)(1), which requires the passenger emergency exits to be equipped with a self-supporting slide or equivalent assist means. The petitioner has proposed to install an escape rope at the door 1L emergency exit,

and retain the existing escape ropes installed for the flight-deck window exits on the left and right side.

The issue of whether escape ropes for trained supernumeraries provide an acceptable alternative to the escape slides required by part 25 for passengers is discussed in some length in Exemptions No. 4808 and 4808A. (The FAA granted those exemptions to the Boeing Commercial Airplane Group in 1987 and 1997, respectively.) This issue is also discussed in Exemption No. 5993A, which the FAA granted in 1995 to the Boeing Commercial Airplane Group for Boeing 767-300PF airplanes.

The FAA recognizes that supernumeraries, as opposed to passengers, may be selected and trained appropriately in the use of escape ropes, and inertia reels and harnesses. The FAA considers that the typical installation of escape ropes (one at the entry door and two for the flightdeck windows) provides an adequate level of safety in this case. The FAA considered the following factors in its decision to allow escape ropes only:

- Maximum of two crew and four supernumeraries seated in the area in and just aft of the flightdeck
- The Boeing Model 737 airplane door and window-sill heights
- Inertia reels not being required on other Boeing Model 737 cargo airplanes, and
- The expected service life of the affected airplanes

The FAA would allow the petitioner to install inertia reels and harnesses with separate FAA design approval.

The petitioner has also requested relief from § 25.810(a)(2), which allows flight crew to utilize an escape rope for emergency egress. As the existing rope is used, we find that no relief is required from this regulation.

The FAA has determined that good cause exists for not publishing a summary of the Aeronautical Engineers, Inc., petition for exemption in the Federal Register because the requested exemption has been granted, in all material respects, to other petitioners and would not set a precedent.

Our Decision

In consideration of the foregoing, I find that a partial grant of exemption is in the public interest for the reasons given by the petitioner. Therefore, pursuant to the authority contained

in 49 U.S.C. 40113 and 44701, delegated to me by the Administrator, Exemption No. 9722 is hereby amended to provide relief from 14 CFR 25.810(a)(1) to the extent necessary to allow type certification of Boeing Model 737-300 and -400 series airplanes to allow supernumeraries the use of the escape rope in the door 1 area as the assist means, in lieu of escape slides. This amendment requires the following change to Limitation 4 as it appears in Exemption No. 9722:

4. Prior to each flight, a flight crewmember must brief each supernumerary on the use of exit ropes and/or exit slides or inertia reels, including instructions to inspect the ground to determine whether a safe landing can be achieved before using an assist means and emergency equipment.

All other conditions and limitations of Exemption No. 9722 remain the same. This letter shall be attached to, and is a part of, Exemption No. 9722.

Sincerely,

/s/ Michael Kaszycki

Michael Kaszycki
Acting Manager, Transport Airplane Directorate
Aircraft Certification Service