

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
KANSAS CITY, MISSOURI 64106

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In the matter of the petition of *
*
RAISBECK ENGINEERING * Regulatory Docket No. 076CE
*
for an exemption from a portion of *
§ 3.242 of the Civil Air *
Regulations *

GRANT OF AMENDMENT TO EXEMPTION

By letter dated April, 3, 1992, Mr. James D. Raisbeck, on behalf of Raisbeck Engineering, 7675 Perimeter Road South, Boeing Field International, Seattle, Washington 98108, petitioned for an amendment to remove a condition in the grant of exemption from a portion of § 3.242(b) of the Civil Air Regulations (CAR). Raisbeck is seeking supplemental type certification of various Beech Aircraft Corporation Model 90 series airplanes having a landing weight less than 95 percent of the maximum takeoff weight without installing a fuel jettisoning system.

The petitioner requires relief from the following regulations:

Section 3.242(b) of the CAR requires, in pertinent part, that multiengine airplanes having a design landing weight less than 95 percent of the maximum weight comply with the fuel jettisoning system requirements of CAR § 4b.437.

The petitioner supports its request with the following information:

Raisbeck Engineering is seeking a supplemental type certificate to increase, by up to 1000 pounds, the maximum weight of Beech Model B90, C90, C90A, and E90 airplanes, as defined by Type Certificate Data Sheet (TCDS) No. 3A20. Section 3.242(b) of the CAR permits the design landing weight of multiengine airplanes to be less than 95 percent of the maximum weight if certain requirements are satisfied; among them is the requirement for a fuel jettisoning system in accordance with CAR § 4b.437. Raisbeck petitioned for an exemption from that portion of CAR § 3.242(b) requiring compliance with CAR § 4b.437 and offered to substitute the climb requirements

incorporated by reference in § 25.1001(a) of the Federal Aviation Regulations (FAR).

Exemption No. 5146 granted the petitioner's request subject to the following conditions:

1. The climb requirements included by reference in FAR § 25.1001(a) must be satisfied.
2. The maximum weight as specified in CAR § 3.242(b) shall be the maximum takeoff weight identified on TCDS 3A20 plus 1000 pounds.
3. The weight to be used in place of design landing weight specified in CAR § 3.242(b) shall be the maximum landing weight identified on TCDS 3A20 plus 1000 pounds minus the weight of fuel consumed during a 15-minute takeoff, go-around, and landing.

The petitioner contends that condition nos. 1 and 2 are sufficient to provide the requisite level of safety and that condition no. 3 adds unnecessary stringency. The petitioner asks the FAA to amend exemption no. 5146 to remove condition no. 3.

Comments on published petition summary:

A summary of this petition was published in the FEDERAL REGISTER for public comment on June 2, 1992 (57 FR 23252). The comment period closed June 22, 1992. No comments were received.

The Federal Aviation Administration's (FAA) analysis is as follows:

The FAA has reviewed and re-evaluated exemption no. 5146.

For transport category airplanes, the fuel jettisoning requirements of § 4b.437 were changed with FAR, Part 25. This change removed the requirement for a fuel jettisoning system for transport category airplanes as long as specific climb gradients are satisfied. This change has resulted in an acceptable level of safety for transport category airplanes. Therefore, incorporation of these same provisions (specific approach and landing climb performance requirements instead of a fuel jettisoning system) for normal category airplanes will also result in an acceptable level of safety.

The FAA, thus, has determined that condition nos. 1 and 2 of exemption no. 5146 are sufficient to provide the requisite level of safety and that condition no. 3 adds unnecessary stringency.

The FAA accepts the argument set forth in the supportive data.

In consideration of the foregoing, I find that a grant of amendment to exemption no. 5146 is in the public interest and will not adversely affect safety. Therefore, pursuant to the authority contained in Sections 313(a) and 601(c) of the Federal Aviation Act of 1958, as amended, delegated to me by the Administrator (14 CFR

11.53), Raisbeck Engineering is granted an exemption from § 3.242(b) of the Civil Air Regulations to the extent necessary to permit supplemental type certification of the Beech Model B90, C90, C90A, and E90 airplanes, having a landing weight less than 95 percent of the maximum takeoff weight without installing a fuel jettisoning system. For Beech Model B90, C90, C90A, and E90 airplanes, this exemption is subject to the following conditions:

1. The climb requirements included by reference in FAR § 25.1001(a) must be satisfied.
2. The maximum weight, as specified in CAR § 3.242(b) shall be the maximum takeoff weight identified on TCDS 3A20 plus 1000 pounds.

Issued in Kansas City, Missouri on August 21, 1992.


Barry D. Clements, ~~Manager~~
Small Airplane Directorate
Aircraft Certification Service