Exemption No. 7259A

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
RENTON, WASHINGTON 98055-4056

In the matter of the petition of **Bombardier Aerospace** for an exemption from § 25.813(e), of Title 14, Code of Federal Regulations	**Regulatory Docket No. FAA-2005-21272** **(Formerly Docket No. 29819)**

GRANT OF EXEMPTION

By letter AW-BCC-05-310, dated May 5, 2005, Mr. John Kotnjek, Completion Interiors, Certification Section Chief, Bombardier Aerospace Inc., 200 Côte-Vertu West, Dorval, Quebec, Canada, H4S 2A3, petitioned for an amendment to Exemption No. 7259, previously issued on June 29, 2000. That exemption permitted Bombardier certain relief from the requirements of § 25.813(e), Title 14, Code of Federal Regulations (14 CFR), to permit installation of interior doors between passenger compartments on the Bombardier Global Express airplane, Model BD-700-1A10. The petitioner now requests an amendment to Exemption No. 7259 to include Bombardier Model BD-700-1A11 airplanes.

The petitioner requests relief from the following regulation:

> **Section 25.813(e)** prohibits the installation of doors between passenger compartments.

The petitioner's supportive information is as follows:

> "FAA Exemptions 7120/C (Docket No. FAA-2002-13385) and 7259 (Docket No. 29819), which administer the installation of a side facing divan(s) and a mid cabin door, have been granted for Bombardier BD-700-1A10 Global Express aircraft. Considering that the Bombardier BD-700-1A11 Global 5000 aircraft is a variant of the BD-700-1A10 aircraft, Bombardier requests that the existing FAA exemptions be amended to include the BD-700-1A11 aircraft."

"The Bombardier BD-700-1A11 Global 5000 aircraft is a variant of the BD-700-1A10 Global Express aircraft and has been approved under the same Type Certificate (FAA TCDS T00003NY) as the BD-700-1A10 aircraft. The primary type design differences between the Global 5000 and the Global Express are a nominal 32" deplug of the fuselage forward of the wing, the installation of an above floor avionics rack, and the relocation of selected systems, components, and modification to the fuel system. The design differences between the BD-700-1A11 and the BD-700-1A10 do not significantly alter the interior configuration of the cabin and therefore do not raise any new concerns with regards to the installation of side facing divan(s) or a mid cabin door.

"Considering that a public comment period was applied for the BD-700-1A10 exemptions and the same exemption conditions apply to the BD-700-1A11, Bombardier kindly requires that the standard public consultation period regarding the issuance of exemptions be waived in this case.

"In closing, Bombardier would appreciate that the request for inclusion of the Bombardier BD-700-1A11 Global 5000 to the exiting BD-700-1A10 exemptions be promulgated prior to June 14, 2005. This will enable Bombardier to meet our customer commitments related to aircraft delivery."

Waiver of Notice and Public Procedure

The FAA has determined that good cause exists for waiving the requirement for Federal Register publication and comment. If granted, this exemption would not set a precedent. Also, any delay in acting on this petition would be detrimental to Bombardier Aerospace, Inc.

The FAA's analysis/summary is as follows:

Exemption No. 7259 was granted to Bombardier Aerospace for Model BD-700-1A10 airplanes. The petitioner has requested that the exemption be amended to include Bombardier Model BD-700-1A11 airplanes.

The Bombardier Model BD-700-1A11 airplane is a variant of the Bombardier Model BD-700-1A10 airplane, and both airplanes have the same certification basis. The applicant has not requested any changes to the limitations and conditions for the amended exemption. Therefore, the FAA agrees with Bombardier that the exemption should be extended to include both airplane models.

The FAA wishes to provide clarification of the intent of limitation number 2, which requires a frangible door between passenger compartments. The basic intent of the frangible door limitation is to have a design that can be easily broken through as though a

door were not there. The requirement is to anticipate and address situations that may result in the door being completely jammed in the fully deployed position (i.e., blocks the aisle). Examples of jamming around the perimeter would include surround structure deformation or damage (e.g., pocket door cavity, ceiling, or nearby monuments). A straightforward approach would be to show that persons of the requisite stature, noted below, could physically break through and egress through the jammed door. More recently, another approach has been to incorporate a fuse hinge device that allows the door to be swung forward or aft when the fuse has been broken. Compliance has been shown by demonstrating that a 5th percentile female can break the fuse in the door, and that the resulting opening allows egress of a 95th percentile male occupant and passage of emergency equipment.

In consideration of the foregoing, I find that an amendment to Exemption No. 7259 is in the public interest and will not affect the level of safety provided by the regulations. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Bombardier Aerospace is hereby granted an amendment to Exemption No. 7259 to include Bombardier Model BD-700-1A11 airplanes. This exemption is applicable to Bombardier Model BD-700-1A10 and BD-700-1A11 airplanes. All other limitations of Exemption No. 7259 apply to this exemption. These limitations are provided below.

1. The airplane is not operated for hire, or offered for common carriage.

2. Each door between passenger compartments must be frangible.

3. Each door between passenger compartments must have a means to signal to the flight crew when the door is closed. Appropriate procedures/limitations to ensure that takeoff and landing is prohibited, when such compartments are occupied and the door is closed, must be established.

4. Each door between passenger compartments must have dual means to retain it in the open position, each of which is capable of reacting the inertia loads specified in § 25.561 of 14 CFR.

5. When doors are installed in transverse partitions, they must translate laterally to open and close.

6. When doors are installed in specified egress paths, each passenger must be informed that the airplane does not comply with the occupant safety requirements. This notification is only required the first time a person is a passenger on the airplane.

7. When doors are installed aft of station 642.1, it shall be possible for persons aft of the door to unlock or unlatch the door, without the use of tools. When doors are installed forward of station 622.1, it shall be possible for persons forward or aft of the door to unlock or unlatch the door, without the use of tools.

Issued in Renton, Washington, on June 13, 2005.

/S/
Mike Kaszycki
Acting Manager
Transport Airplane Directorate
Aircraft Certification Service