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

Transport Airplane Directorate
1601 Lind Avenue, S.W.
Renton, Washington 98057-3356

February 19, 2015

Exemption No. 11060A
Regulatory Docket No. FAA-2014-0351

Mr. Kumaresan Subramaniam
Engineering Director
VT Mobile Aerospace Engineering, Inc.
2100 Aerospace Drive, Brookley Aeroplex
Mobile, Alabama 36615

Dear Mr. Subramaniam:

This is to inform you that we have amended Exemption No. 11060. This letter explains the basis for our decision and describes its effect.

The Basis for Our Decision

By letter dated October 24, 2014, and by letter dated October 30, 2014, you petitioned the Federal Aviation Administration (FAA), on behalf of VT Mobile Aerospace Engineering, Inc. (formerly known as ST Aerospace Mobile, Inc.), for an amendment to Exemption No. 11060. That exemption provided relief from the requirements of §§ 25.785(j), 25.807(g)(1), 25.807(i)(1), 25.810(a)(1), 25.813(b)(1), 25.813(b)(6), and 25.1447(c)(1) of Title 14, Code of Federal Regulations (14 CFR). In addition to requesting the same relief as previously requested for Exemption No. 11060, you sought additional relief from the requirements of § 25.857(e) and requested the removal of the turbulence warning (Condition 6) and the public address (PA) system (Condition 11) in the supernumerary area.

Your petition included the same conditions and reasons relative to public interest and safety that were the basis for granting the original exemption. In your letter dated October 24, 2014, you include justification for an exemption from § 25.857(e), which prohibits passengers on airplanes with Class E cargo compartments. You also included justification for exemption from § 25.810(a)(1), which was previously granted in Exemption No. 11060. In your letter dated October 30, 2014, in support of removal of the turbulence warning and the PA system in the supernumerary area, you stated that having a standard public address system and aural annunciations that are audible by the supernumeraries in the flight deck would disturb and confuse the flight crew, which affects safety of flight.

***Federal Register* Publication**

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* for public comment because the requested amendment to the

exemption would not set a precedent, and any delay in acting on this petition would be detrimental to your company.

Our Decision

Section 25.857(e) restricts Class E cargo compartments to all-cargo airplanes (i.e., occupancy limited to flight crew [pilots and flight engineer] only). However, VT Mobile Aerospace Engineering, Inc.'s (VT MAE) design meets § 25.857(e)(1) through (e)(5) requirements for the Class E cargo compartment itself.

As stated by VT MAE, Class E cargo compartments are usually remote from the flight deck and the means of controlling fires is to depressurize the airplane to minimize the available oxygen. The recommended altitude for flight while depressurized is between 20,000 and 25,000 feet. The operator is required to ensure that each supernumerary is physically able to accomplish this emergency procedure. In addition, the design includes a barrier, which must comply with the smoke penetration requirements for the flight deck. VT MAE's design includes placards installed on the barrier to indicate that the barrier is to be secured and that no personnel are allowed into the Class E cargo compartment during flight. Also, the FAA acknowledges that we have approved similar designs and operations where the presence of supernumeraries provides a benefit to airplane safety.

For this configuration, where the supernumerary seats are located in the enlarged flight deck, VT MAE has requested that the FAA remove the requirements for an alerting system and a PA system. We find that this proposal is acceptable and have removed the requirements for a turbulence alert system and PA system in the supernumerary area, since the supernumerary seats are in close proximity to the flight crew. We have revised Condition No. 6 accordingly and have removed Condition No. 11 of the original exemption. However, the turbulence alert must still be recognized in the lavatory and indicate, during turbulence, those persons must return to their seats.

Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, VT MAE is granted a partial exemption from § 25.857(e), allowing supernumeraries on an airplane with a Class E cargo compartment. VT MAE is not granted an exemption from § 25.857(e)(1) through (e)(5), Amendment 25-93.

The Effect of Our Decision

This amendment adds § 25.857(e) to the requirements for which the exemption is granted. Note that our decision not to grant an exemption from § 25.812(e), Amendment 25-128, and from § 25.1445(a)(2), Amendment 25-00, remains unchanged from Exemption No. 11060.

Condition 6 of Exemption No. 11060 is revised as follows:

A flightcrew-operated aural or visual annunciation that would be recognized in the lavatory must be installed to indicate, during turbulence, that persons must return to their seats. Appropriate procedures/limitations must be established to ensure that the flightcrew signals the supernumeraries to return to their seats at the onset of turbulence and for taxi, take-off and landing.

Condition 11 of Exemption No. 11060 is deleted.

All other conditions and limitations of Exemption No. 11060 remain the same. This letter must be attached to, and is a part of, Exemption No. 11060.

Sincerely,

/s/

John P. Piccola, Jr.
Acting Manager, Transport Airplane Directorate
Aircraft Certification Service