

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
RENTON, WASHINGTON 98057-3356

In the matter of the petition of

**Airlines for America, on behalf of
United Airlines**

for an exemption from § 121.309(f)(2) of
Title 14, Code of Federal Regulations

Regulatory Docket No. FAA-2016-8176

GRANT OF EXEMPTION

By letters dated May 2, 2016, and July 14, 2016, Ms. Sophia Ghezai, Director of Aviation Safety and Operations, Airlines for America, 1275 Pennsylvania Avenue, NW, Suite 1300, Washington, D.C., 20004-1707, petitioned the Federal Aviation Administration (FAA), on behalf of United Airlines (United) for an exemption from the requirements of § 121.309(f)(2) of Title 14, Code of Federal Regulations (14 CFR). This exemption, if granted, would permit United to operate Boeing 747 airplanes with the aft megaphone located at door 4-left instead of at door 5-left.

The petitioner requests relief from the following regulation:

Section 121.309(f) states, in pertinent part, that each passenger-carrying airplane with a seating capacity of more than 99 passengers must have 2 portable battery-powered megaphones. One installed at the forward end and the other at the most rearward location where it would be readily accessible to a normal flight attendant seat.

The petitioner supports its request with the following information:

This section quotes the relevant information from the petitioner's request with minor edits for clarity. The complete petition is available at the Department of Transportation's Federal Docket Management System, on the Internet at <http://regulations.gov>, in Docket No. FAA-2016-8176.

Request for Relief

In accordance with 14 CFR 11.61, Airlines for America (A4A), on behalf of member United Airlines, petitions the Administrator for an extension of Exemption 6140J.

Exemption 6140J provides relief, under certain conditions and limitations, from the requirements of § 121.309(f)(2) to the extent necessary to locate the aft megaphone at door 4-left on Boeing 747 airplanes. This exemption is scheduled to expire on August 31, 2016.

As outlined in A4A's original petition for exemption, the Boeing 747 (B-747) airplane was certificated in accordance with 14 CFR part 25 with the aft megaphone located at door 4-left instead of at door 5-left, the most rearward door on the B-747. The B-747 has been in worldwide airline operation for more than 30 years and the positioning of the aft megaphone at door 4-left has proved to be an advantageous location in emergency evacuations. Repositioning the aft megaphone from its current position at door 4-left to most aft position, door 5-left, would not improve safety but would require the airline to change procedures and expend resources unnecessarily.

Good cause exists to complete action on this petition by August 31, 2016. With regard to public interest and equivalent levels of safety, the conditions and circumstances which warranted the original grant of exemption continue to exist. Over 15 years of operational experience under this exemption demonstrates that granting a renewal of Exemption 6140J would not adversely affect safety and would be in the public interest.

Furthermore, the renewal of this exemption is not a controversial issue. This petition does not seek to establish a precedent; but merely continue an accepted and established practice. Accordingly, A4A requests that publication in the *Federal Register* be waived as unnecessary.

As this exemption request concerns the location of the aft megaphone, that megaphone will remain at the location requested in this exemption for all operations, including operations outside the United States. For this reason, United Airlines wishes to exercise the privileges of this exemption outside the United States.

Federal Register publication

The FAA has determined that good cause exists for waiving the requirement for *Federal Register* publication for public comment because the request is identical in all material respects to previously granted exemptions; the exemption, if granted, would not set a precedent; and any delay in acting on this petition would be detrimental to United Airlines.

The FAA's Analysis

The FAA finds that the operations conducted and described above by the petitioner have been done so in a safe manner.

Locating the megaphone at door 4-left provides a sufficiently centralized location in the aft section of the airplane to control passenger evacuations. This location provides for broadcast coverage, including passengers seated aft as well as passengers seated forward of door 4-left.

Thus, the FAA concludes that operation of Boeing Model 747 airplanes, as described, would provide a level of safety equivalent to the regulation.

The FAA also finds that it would not be in the public interest to require United to expend resources to relocate the megaphone, since there would be no increased safety benefit. For many years, cabin and flightcrew members have been trained, and this knowledge is now well engrained, that the location of the megaphone on Boeing Model 747 airplanes is at door 4-left. To change this now would only add confusion and the current practice poses no safety problem.

The FAA's decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. 40113 and 44701 delegated to me by the Administrator, I grant United Airlines an exemption from 14 CFR 121.309(f)(2) to the extent necessary to allow United Airlines to locate the aft megaphone at door 4-left on their Boeing Model 747 airplanes. This grant of exemption supersedes Exemption No. 6140 for United Airlines.

Issued in Renton, Washington, on **AUG 12 2016**



Michael Kaszycki
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Aircraft Certification Service