

**Disposition of Public Comments - Comment Table**  
**Proposed Policy Statement - Life Limits ALS ICA (ASW-100-09-003)**

Company or Group	Page and Paragraph	Comment	Rationale	Recommendation	Disposition
Michael Bailey		This is very critical that the proposed policy statement be adopted.	Since "Some have questioned this practice", of including life limits on critical systems not specifically mentioned in 27.571 or 29.571. It needs to be made clear to all by adopting this new proposal that elements on the rotorcraft that are of very critical and sensitive importants will be included in the life limits sections of the regulations. While I am not a mechanic or manufacturer, I do use air transportation from time to time. I think this proposal will help to ensure that our police, fire, sheriff, and air ambulance forces will have the safest and best maintained rotorcraft equipment to use. A number of our emergency forces use different types of rotorcraft for police, fire fighting, and rescue work and approving this proposal will give them the best equipment possible to work with.		Agree; noted.

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Embraer		<p>While Embraer does not disagree with the objective of applying airworthiness limitations to structure or components that are not certified to the requirements of 14 CFR 5 xx.571, we do question the use of preamble language to expand what is required by the regulatory language in Appendix A to Parts 27 and 29.</p>	<p>The proposed policy links the requirements of Parts 27 and 29 to that of Appendix G of Part 23, because the preamble of the rulemaking that implemented the Instructions for Continued Airworthiness appendices for all three Parts states that the FAA’s intent for Part 27 and Part 29 is substantially identical to that of Part 23. While this is true, the regulatory text in Appendix G of Part 23 is significantly different from Appendix A of Part 27 and Part 29. This difference clearly expands the requirement for airworthiness limitations in Part 23 beyond those necessary to show compliance with 14 CFR §23.571. Embraer believes that preamble language is not legally enforceable and that the plain meaning of the regulatory language in the applicable appendices for Part 27 and 29 limits the applicability of airworthiness</p>	<p>Your proposed rulemaking project to change the Appendix A requirements of Part 27 and 29 to match that of Part 23 would resolve the issue and Embraer supports that rulemaking.</p>	<p>Disagree. The position that the Airworthiness Limitations Section (ALS) requirements for Parts 27 and 29 must be interpreted narrowly to include <i>only</i> items approved under XX.571 is not supported by a study of the rule history. The NPRM regarding ALS (July 11, 1975) proposed to change 27 and 29 in a way “that would be substantially identical to” the proposed change for Part 23. The Part 23 proposal was to include in the ALS mandatory replacement times, etc. “established during certification for the airplane.” In the final rule preamble (September 11, 1980), the agency responded to comments and explained “The language for the ALS of the appendices for Parts 23, 25, 27, and 29 is being retained, except that the mandatory replacement times (etc.) are specified as those <i>associated with structural integrity</i> –</p>

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			<p>limitations to those limitations necessary to show compliance with 27.571 and 29.571.</p>		<p>including those approved under Sec. XX.571.” The history and expressed intention for the ALS change is therefore the same for parts 23, 27, and 29. There is a difference in the texts of these rules, however, and Part 23 does not refer to XX.571 because structural integrity requirements are contained in a number of different paragraphs in this code. As explained in the policy statement, the language of Parts 27 and 29 does <i>not</i> restrict ALS to those items approved under XX.571, and the preamble supports a broader interpretation to include those items <i>associated with structural integrity</i>.</p>
Sikorsky	2 Policy	<p>The term ‘<i>associated with structural integrity</i>’ is vague and ambiguous.</p>	<p>Confusion over compliance with this term will cause extra cost and delay of ALS issuance.</p>	<p>Replace the term ‘<i>associated with structural integrity</i>’ with Life limited items approved by the FAA or DOT.</p>	<p>Disagree. Some life-limited items approved by the FAA and DOT may not be associated with structural integrity.</p>