



# The Update Report

The Aviation Suppliers Association

Volume 12, Issue 1

January 2004

## EXPORT TESTIMONY

### Export Controls – What You Need To Know

The aerospace industry is global in scope, and U.S. aircraft and components are used all over the world. As a consequence, aircraft parts distributors in the United States have many sales opportunities abroad. Export transactions, however, are subject to a wide range of laws and regulations, both U.S. and foreign, that do not apply to domestic transactions in the United States. ASA frequently gets questions from its members concerning the rules governing export transactions.

This article represents part one of a two part series that addresses some of the resources available to help Americans ensure that their exports continue to meet the legal standards imposed by a wide variety of United States laws.

Exporters of aircraft and aircraft parts must comply with two main bodies of rules. The first are the regulatory requirements that apply specifically to aeronautical products as set forth in the Federal Aviation Regulations and the bilateral airworthiness agreements in force between the U.S. and its principal trading partners. These include, among other things, the procedures for obtaining export airworthiness approvals from the FAA. The other body of rules consists of the U.S. export control laws and regulations that apply to *all* U.S. exporters. This article examines the basics of export controls. Careful compliance with all applicable export controls is extremely important because

the consequences for violating them can be severe. Failing to obtain proper airworthiness certification can result in a lost sale. Failing to observe export control laws can result in substantial fines or even jail time.

One of the things that can make export controls so complicated is that there are multiple government agencies imposing rules, and the rules sometimes overlap. Depending upon the nature of the particular transaction, one (or more) of three federal agencies is likely to have jurisdiction. Generally speaking, the Commerce Department oversees exports of civilian-related products, the State Department oversees exports of military-related products, and the Treasury administers sanctions programs affecting particular countries, groups, companies, or individuals. Between them, these agencies publish several lists of countries, entities, or persons that are subject to export controls. As discussed below, exporters must ensure that they are not doing business with anyone who appears on any of these lists.

Here is a basic guide to working through the export control maze.

#### Overview

For most exports that do not involve purely military technology, the first place to look is the Commerce Department's Bureau of Industry and Security

*(Continued on page 7)*

### Inside this Issue:

Service Difficulty Reports .....	3
Potential US-EU Trade War Averted (Again).....	3
UPN— Parts sold by UAE .....	8
UPN—Lockheed C-130/L-100 Series .....	10
UPN—Suspect Mechanic .....	11

### Congratulations to the following companies:

**Airline Spares America, Inc.**  
Deerfield Beach, FL

**Arger Enterprises, Inc.**  
Reno, NV

**Londavia, Inc.,**  
d/b/a **Britannic Aviation**  
Portsmouth, NH

**Octagon Aerospace, Inc.**  
San Fernando, CA

**P&R Trading, Inc.**  
East Rutherford, NJ

**Patrick's Parts, Inc.**  
Pompano Beach, FL

**Topcast Aviation Supplies Co., LTD.**  
Kwai Chung, Hong Kong

*For their re-accreditation to the ASA-100 standard in accordance with the FAA's AC 00-56A Voluntary Industry Distributor Accreditation Program*



## A Message from ASA's President

Our industry is constantly enduring growing pains. We are constantly evolving to take advantage of new technologies and new efficiencies, to meet customer demands, and to meet federal oversight (e.g. FAA) demands.

There is currently a movement to establish a uniform standard for the transmittal of airworthiness information by electronic transmittal mechanisms. The goal is to provide a viable alternative to paper documentation. People often refer to this process as 'electronic 8130-3 tags' but the fact is that the process involves so much more than the 8130-3 tag alone.

The working group is looking into establishing the appropriate data fields to retain the right data (which in many ways is reminiscent of the arguments broached while FAA, JAA and Transport Canada were harmonizing their respective certification forms 8130-3, JAA-1 and TC 24-0078). They are also examining what sort of limits to place on the data that can be included in the electronic documentation (trying to keep the restrictions liberal enough to allow any datum that reasonably needs to be included, while still strict enough that nonsensical data cannot accidentally creep into the dataset, or if it does then the user will know that the data is corrupted).

Data security is also an extremely important issue for a number of reasons. The data must be secure so it cannot be maliciously or fraudulently altered. It also must be secure from inadvertent corruption (which often means data redundancy) because in some cases the paperwork may be left far behind in the chain of commerce, and if the goal of the team working on this is realized, there may come a time when electronic documentation entirely supplants paper documentation—this means greater efficiencies but it also means there is no paper back-up against which to check the

electronic data (again, this apparent problem can be remedied through appropriate redundancies in the system).

We also need to impose restrictions so that a 'sample' data package cannot be fraudulently associated with an otherwise undocumented part.

At the same time, the data must be freely transferable in a manner that supports commerce, so a distributor can both receive and send data packages related to the articles offered for sale.

Finally, we need to make sure that this system is accessible to and affordable by every distributor, no matter how small or large.

ASA remains an active part of this movement, and although the possibilities for problems are palpable, we nonetheless see great promise in the opportunities that this proposal presents.

Best Regards

Michele Dickstein

### Board of Directors:

<b>Terry Bond</b>	(305) 925-2600
M & M Aerospace Hardware, Inc.	
<b>Bill Cote</b>	(561) 998-9330
Volvo Aero Services, LP	
<b>Richard Levin</b>	(818) 842-6464
A.J. Levin Company	
<b>Debbie Maier</b>	(206) 662-9650
The Boeing Company	
<b>Mike Molli</b>	(847) 836-3100
Scandinavian Airlines System	
<b>Karen Odegard</b>	(253) 395-9535
Pacific Aero Tech, Inc.	
<b>Roy Resto</b>	(414) 875-1234
Tracer Corporation	
<b>Mitch Weinberg</b>	(305) 685-5511
International Aircraft Associates, Inc.	

### The Update Report

is a monthly newsletter of the Aviation Suppliers Association. Questions/comments should be addressed to:

Jason Dickstein  
Aviation Suppliers Association  
734 15th Street, NW, Suite 620  
Washington, DC 20005  
voice: (202) 347-6899  
fax: (202) 347-6894  
email:  
jason@aviationsuppliers.org

### The Update Report

provides timely information to help Association members and readers keep abreast of the changes within the aviation supply industry.

### The Update Report

is just one of the many benefits that the Aviation Suppliers Association offers members. For information on ASA-100, the ASA Accreditation Program, Conferences, Workshops, FAA guidance like Advisory Circulars, Industry Memos, or services and benefits, contact the Association.

### The Update Report

For information on special package rates for advertising, contact the Association at (202) 347-6899.

© 2004. All material in this publication is subject to copyright held by the Aviation Suppliers Association, Inc. All rights reserved.

### Officers:

<b>Michele Dickstein</b>	202-347-6899
President	
<b>Karen Odegard</b>	253-395-9535
Corporate Treasurer	
<b>Jason Dickstein</b>	202-347-6899
Corporate Secretary	

## FAA Updates Requirements For Service Difficulty Reports

Two final rules published on December 30, 2003 have amended and clarified the requirements governing the submission of Service Difficulty Reports (SDRs) to the FAA by repair stations. One rule postpones the effective date of certain new SDR requirements until January 31, 2006. The other rule modifies the wording of 14 CFR 145.221 to clarify that repair stations need only report "serious" failures, malfunctions, or defects and introduces some technical corrections necessitated by the postponement of the first rule.

The FAA tracks potential safety problems affecting aeronautical products through a variety of means. One com-

mon method is through service difficulty reports submitted by air carriers and repair stations that encounter potential safety problems with aircraft, aircraft engines, systems, and components. SDRs provide the FAA with statistical data necessary for planning, directing, controlling, and evaluating certain assigned safety-related programs.

Currently, the FAA Service Difficulty Reporting System (SDRS) is used in numerous ways. The FAA analyzes SDR data in order to rapidly disseminate defect trends, problems, and alert information that could pertain to future aviation safety issues to appropriate

segments of the aviation community and the FAA. The engineering offices within the FAA also use the data for evaluation of problems for potential use in preparing Airworthiness Directives (ADs). FAA inspectors use SDRS data as part of aircraft safety inspections. National Transportation Safety Board (NTSB) and the FAA's Office of Accident Investigation also draw on this data to support investigations into accidents and incidents. The data also finds use in Aviation Safety and Accident Prevention programs. In addition, there are numerous requests for SDR data from the media and the legal community. Foreign countries

*(Continued on page 6)*

## INTERNATIONAL UPDATE

### Potential U.S.-EU Trade War Averted (Again)

In 2003, the aerospace industry faced the prospect of seeing exports of aircraft and aircraft parts to the European Union subjected to punitive 100% tariffs. The World Trade Organization authorized the penalty in a long-running trade dispute between the United States and the EU over U.S. tax breaks for exporters. Fortunately, the specific threat to aircraft and related parts evaporated in June 2003 when the EU revised its list of products potentially subject to the sanctions and omitted those commodities. The underlying dispute has not been completely resolved, however, leaving open the possibility that the EU could impose over \$4 billion in sanctions annually against the U.S. starting early in 2004.

Recent headlines have once again raised the specter of a transatlantic trade dispute escalating into a wider "trade war" between the United States and the European Union. The latest

bone of contention: temporary tariffs on imported steel products instituted by the Bush administration last year to protect the U.S. steel industry. This dispute follows on the heels of several others, such as U.S. complaints against EU policies restricting the importation of genetically modified foodstuffs, beef containing hormones, and bananas.

#### *The Principles Involved*

One of the fundamental objectives of modern international trade law is the strict limitation and, ideally, eventual elimination of tariffs. Tariffs are taxes imposed on imported goods, and they have traditionally been used as one of the primary means of protecting domestic industries and products from foreign competition by making foreign goods more expensive than their domestic counterparts. When governments act too assertively in imposing tariffs to protect their domestic mar-

kets, it often invites retaliation in kind from their trading partners. One of the best examples of the dangers of this dynamic occurred in the 1930s, when the United States and other industrial nations vied with one another in introducing high tariffs to protect their national economies. The result was a downward spiral in international trade that deepened the Great Depression and helped make it into a worldwide phenomenon.

Following World War II, the United States led a concerted international effort to ensure that the destructive trade wars of the 1930s never recurred. The result was the General Agreement on Tariffs and Trade, or GATT, which was concluded in 1947 and eventually revised in 1994 to provide for the creation of a World Trade Organization (WTO), to oversee compliance with the GATT and its related agreements. One of the guiding principles of the GATT

*(Continued on page 5)*

**INTRODUCING**

## **INVENTORY** *e-Valuator*

Supply & demand data for  
specific parts

Take the guesswork out of  
inventory valuation!



## **The World's Largest e-Marketplace:**

- **More than 9,000 subscribers**
- **200 airlines**
- **700 repair stations**
- **3,000 U.S. Government buyers**

 **ILSmart.com**  
*It's About Results*

**INTRODUCING**

## *ILS Quick Catalogue*

Your products available on your  
website with ILS technology

Make your site a workhorse!



Inventory Locator Service,® LLC • 3965 Mendenhall Road • Memphis, TN 38115 - U.S.A. • For more information e-mail us at [marketing@ilsmart.com](mailto:marketing@ilsmart.com)  
or call 1-800-233-3414 (North America) or 1-901-794-5000 (Worldwide) • Fax: 1-901-794-1760

## Is it Really a Trade War?

*(Continued from page 3)*

and the WTO Agreement is that countries should not impose measures that unfairly place imported goods at a competitive disadvantage vis-à-vis domestic goods, either through tariffs or other means.

### *The Latest Dispute*

The recent dispute between the U.S. and the EU over certain steel products involved this principle. Under pressure from the steel industry, and with an eye toward currying favor among voters in West Virginia and many parts of the Midwest, President Bush departed from his usual free-trade stance and imposed protective tariffs of 8 to 30 percent on steel imports from the EU, Japan, China, and several other countries in March 2002. In itself, this is not necessarily a violation of international trade law. The WTO Agreement does recognize that there are circumstances in which protective tariffs are justified as temporary measures, such as when there is a sudden surge in imports that adversely affects competition in the importing market. The EU, however,

disputed the legitimacy of the tariffs and brought a complaint against the U.S. at the WTO. The WTO ultimately ruled in favor of the EU, finding that the U.S. had not adequately demonstrated that its steel industry had indeed suffered actual harm from a flood of cheaper imports.

The WTO informed the United States that the steel tariffs violated trade rules and must be discontinued. In the event the U.S. failed to comply, the WTO authorized the EU to impose \$2.2 billion in retaliatory tariffs against selected U.S. exports. The United States, having exhausted all of its appeals at the WTO, pledged to study the ruling "carefully." In the weeks that followed, U.S. officials scrambled to find a compromise solution that would appease the Europeans without abolishing the tariffs outright, such as phased reductions over the next few years. The EU refused to budge, however, and by the end of November, President Bush realized that WTO compliance would be necessary. U.S. trade officials announced that the offending tariffs would be dropped.

### *"Trade War": How Realistic?*

When trade disputes arise between the United States and the EU, the media are often quick to invoke the prospect of a "trade war," a series of tit-for-tat sanctions disrupting trade relations between the two sides, affecting jobs and economic recovery. The ultimate effect on either party's economy would depend upon the specific products subject to the sanctions. In putting together its lists of products subject to WTO-approved sanctions, the EU devoted considerable effort to selecting products that would produce the greatest possible political impact on the Bush administration, such as commodities from key states that Bush needs to woo in the coming elections. At the same time, the targeted products are ones that will not have too adverse an effect on European consumers, typically items that the EU imports no more than 20% of from the United States (this is why aircraft and aircraft parts were ultimately dropped from the first proposed list of target products).

## **SUSPECTED UNAPPROVED PARTS? *It's Everyone's Business!***

***To report SUPs, call:***

***FAA Aviation Safety Hotline - (800) 255-1111***

***Dept. of Transportation, Inspector General - (800) 424-9071***

***NASA Office of Inspector General - (800) 424-9183***

***Dept. of Defense, Inspector General - (800) 424-9098***

***In Canada, Transport Canada Hotline - (800) 305-2059***

***Boeing Commercial Airplanes Hotline - (888) 223-PART***

***Boeing International Hotline - (206) 662-7144***

 **BOEING®**



## SDR Reporting Requirements Change for 145s

*(Continued from page 3)*

and branches of the U.S. military services use the SDR data for research.

Nevertheless, many air carriers and repair stations find the reporting requirement burdensome and of questionable value. The rules require reporting of failures, malfunctions, or defects connected with a wide variety of operational activities or incidents, such as fires, engine flameouts, false alarms of fire or smoke, fuel leaks, the accumulation or circulation of smoke or noxious fumes, landing gear or brake malfunctions, emergency evacuation system problems, or any other problem endangering the safe operation of the aircraft. In addition, the FAA requires reporting of structural defects such as certain types of corrosion, cracks, fractures or disbanding. SDRs must be submitted within 72 hours of discovery of the problem. Many carriers did not believe that the benefit gained from the SDR system in terms of safety improvements was commensurate with the amount of effort and expense involved in compiling and reporting the data.

### *Unresolved Issues Prompt Postponement*

On September 15, 2000, the FAA published a final rule that amended the reporting requirements, on one hand relieving the carriers' burden somewhat by allowing them to authorize repair stations to submit SDRs on their behalf and allowing 96 hours for the submission of reports, yet at the same time requiring certificate holders to report certain additional service difficulties and include new information in the SDR. The agency requested comments on the new, expanded information collection requirements. The FAA received extensive written comments on the SDR requirements and on the potential duplicate reporting of certain failures, malfunctions, and defects.

Additional issues were brought to the FAA's attention at a public meeting on December 11, 2000.

As a result of the concerns expressed at the meeting and raised during the comment period, the FAA delayed the effective date on four separate occasions. The purpose of these delays was to allow the agency time to consider industry's concerns and to consider issuing a notice of proposed rulemaking (NPRM) addressing the issues raised. Work continues on this initiative, and the FAA has found that a further delay of the effective date is necessary to allow the agency additional time to address industry concerns.

### *Clarification For Repair Stations*

The delay in implementing the SDR regulations affects portions of the amended Part 145 repair station regulations that were due to become effective on January 31, 2004. The re-write of

Part 145 combined the contents of the original two sections dealing with SDRs, 14 CFR 145.63 and 145.79, to create a new section 145.221, "Service Difficulty Reporting."

The new section 145.221 introduces three substantive changes. First, it standardizes the requirements for reporting failures, malfunctions, or defects to apply to all certificated repair stations, regardless of location. Second, it replaces the phrases "serious defect" and "other unairworthy condition" with the phrase "failure, malfunction, or defect." Finally, it allows repair stations to submit SDRs to the FAA in any FAA-acceptable format.

These changes attracted numerous comments from the industry. A number of observers pointed out that the omission of the word "serious" in section 145.221(a) arguably requires re-

*(Continued on page 9)*

### Aviation Parts? We Have You Covered

Intertrade, a Rockwell Collins Company, offers aircraft operators aftermarket solutions for avionics, airframe and APU components.

Intertrade offers an extensive inventory of products to support commercial, military, business and regional aircraft.

Our commitment: world-class customer service, an extensive availability of key aviation components, and industry leading quality assurance.

All delivered with legendary Collins Reliability.

800.553.7280 or 319.378.3500  
Fax: 1.319.378.9446  
London: +44(0) 1923.650390  
Fax: +44(0) 1923.650391  
[www.intertrade-collins.com](http://www.intertrade-collins.com)



## Basics of Export Regulation Compliance

*(Continued from page 1)*

(BIS), until recently known as the Bureau of Export Administration, or the "BXA." The BIS is responsible for implementing and enforcing the Export Administration Regulations (EAR), which regulate the export and re-export of most commercial items. The BIS primarily regulates items referred to as "dual-use" – that is, items that have both commercial and military or proliferation applications. Nevertheless, some purely commercial items without an obvious military use are also subject to the EAR.

The EAR can be found in the Code of Federal Regulations at 15 CFR Parts 730 to 774, and can be accessed through the BIS web site at:

<http://www.bxa.doc.gov/>.

The EAR do not control all goods, services, and technologies. Other U.S. government agencies regulate more specialized exports such as nuclear-related items, drugs, agricultural goods, etc. The EAR include answers to frequently asked questions, detailed step-by-step instructions for determining if a transaction is subject to the regulations, how to request a commodity classification or advisory opinion, and when and how to apply for an export license.

### *Exports Of Defense Articles And Services*

The Office of Defense Trade Controls (ODTC) at the State Department is responsible for enforcing the International Trade in Arms Regulations, or ITAR, found in the Code of Federal Regulations at 22 CFR Section 121. ODTC's focus is on actual military technology and weapons systems. GA aircraft and parts seldom fall under the ITAR, but exporters dealing in any kind of military-surplus items need to check to see if an ODTC license is re-

quired. Details can be found on the ODTC web site at :

<http://www.pmdtc.org>.

### *What Is An Export?*

Any item that is sent from the United States to a foreign destination is an export. Remember—this definition differs slightly from the FAA use of the term, because the FAA uses the term to mean that a product or component has been installed on an aircraft subject to another country's regulatory oversight—so the FAA's use of the term is not hinged on actual crossing of international geographic borders. The definition that we are using is tracked much more closely to the traditional notion of what exporting means.

The term "items" include commodities, software or technology, such as clothing, building materials, circuit boards, certain aircraft parts, blue prints, design plans, retail software packages and technical information.

How an item is transported outside of the United States does not matter in determining export license requirements. For example, an item can be sent by regular mail or hand-carried on an airplane. A set of schematics can be sent via facsimile to a foreign destination, software can be uploaded to or downloaded from an Internet site, or technology can be transmitted via e-mail or during a telephone conversation.

Regardless of the method used for the transfer, the transaction is considered an export for export control purposes. An item is also considered an export even if it is leaving the United States temporarily, if it is leaving the United State but is not for sale, (e.g., a gift) or

if it is going to a wholly owned U.S. subsidiary in a foreign country. Even a foreign-origin item exported from the United States, transmitted or transshipped through the United States, or being returned from the United States to its foreign country of origin is considered an export. Finally, release of technology or source code subject to the EAR to a foreign national in the United States is "deemed" to be an export to the home country of the foreign national under the EAR.

### *How to Determine If You Need a BIS Export License*

A relatively small percentage of total U.S. exports and re-exports require a license from BIS. License requirements are dependent upon an item's technical characteristics, the destination, the end-user, and the end-use. Exporters must determine whether their export requires a license. When making that determination, the exporter must consider:

- What is being exported?
- Where is it being exported?
- Who will receive the item?
- What will the item be used for?

We will address these four questions, and how to analyze your answers to confirm regulatory compliance, and how to find internet resources that aid in regulatory compliance, in next month's conclusion to this article.

Exports are undeniably more complicated than domestic transactions, but they represent a potentially lucrative source of business for companies willing to do their homework and brave the thicket of rules and regulations. The information provided above (and in next month's article) will help would-be exporters start moving in the right direction.

UPNs are published by the FAA's SUPs Program Office. They are republished here as a service to our readers. The Association is not responsible for claims made by the Notification. All questions should be directed to the FAA contact office listed in the Notification.

# UNAPPROVED PARTS NOTIFICATION



SUSPECTED UNAPPROVED PARTS PROGRAM OFFICE, AVR-20  
13873 PARK CENTER ROAD, SUITE 165  
HERNDON, VA 20171

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

UPNs are posted on the Internet at <http://www.faa.gov/avr/sups/upn.cfm>

No. 2002-00006  
Jan. 7, 2004

---

Published by: FAA, AIR-140, P.O. Box 26460, Oklahoma City, OK 73125

## AFFECTED AIRCRAFT

All aircraft.

## PURPOSE

The purpose of this notification is to advise all aircraft owners, operators, manufacturers, maintenance organizations, and parts suppliers and distributors regarding parts sold with falsified documentation.

## BACKGROUND

A joint suspected unapproved parts investigation conducted by the Federal Aviation Administration (FAA) and the Defense Criminal Investigative Service revealed that Amanullah Khan (aka Wali Merchant) and Ziad Jamil Gammoh, operating as United Aircraft & Electronics (UAE), 1140 N. Kraemer Avenue, Suite H, Anaheim, CA 92806, falsified documents associated with the sale of aircraft parts.

Beginning January 2000, UAE sold surplus or used aircraft parts as new parts with falsified certificates of conformance, invoices, and FAA Forms 8130-3 (Airworthiness Approval Tags). UAE added false dataplates, stamps, and serial numbers to reworked parts.

Examples of the parts sold by UAE include:

- Bell Helicopter grip assemblies, part no. 204-011-728-19, with false dataplates indicating that the parts were part no. 205-011-711-101.
- Reworked turbine vanes and blades with counterfeit Pratt & Whitney stamps and packaging.
- F-16 end aft dummy loads, part no. 16E3564-1, with falsified Alcoa certificates of conformance.
- Bell Helicopter 214 wear sleeves, part no. 214-040-867-101, sold with falsified Bell Helicopter Textron invoices.

*Note: Evidence indicates that these are only some of the parts that UAE may have sold with falsified documentation; therefore, all parts purchased from UAE should be considered suspect.*

## RECOMMENDATIONS

Regulations require that type-certificated products conform to their type design. Aircraft owners, operators, maintenance organizations, and parts suppliers and distributors should inspect their aircraft, aircraft records, and/or parts inventories for any parts purchased from UAE, or parts with documents signed by Amanullah Khan (aka Wali Merchant), Ziad Jamil Gammoh, or Oscar Munoz.

*(Continued on page 9)*

(Continued from page 8)

## FURTHER INFORMATION

Further information concerning this investigation and guidance regarding the above-referenced parts may be obtained from the FAA Manufacturing Inspection District Office (MIDO) or the FAA Flight Standards District Office (FSDO) given below. In addition to the above recommendations, the FAA would appreciate any information concerning the discovery of the parts, the means used to identify the source, and the action taken to remove any part from service.

For additional information, contact the FAA Los Angeles MIDO, 3960 Paramount Blvd., Lakewood, CA 90712-4137, telephone (562) 627-5291, fax (562) 627-5319 or the FAA Long Beach FSDO, 5001 Airport Plaza Drive, Suite 100, Long Beach, CA 90815, telephone (562) 420-1755, fax (562) 420-6765. This notice was published through the FAA Suspected Unapproved Parts Program Office, AVR-20, telephone (703) 668-3720, fax (703) 481-3002.

**All parts purchased from UAE should be considered suspect and quarantined to prevent installation until a determination can be made regarding each part's eligibility for installation.**

## REGULATORY UPDATE

### Repair Station SDRs Clarified

(Continued from page 6)

pair stations to report *all* failures, malfunctions, or defects, regardless of severity. This would be likely to result in a huge flood of inconsequential reports and represent an unreasonable burden on both the industry and the FAA.

In the rule published on December 30, 2003, the FAA agreed that this was a problem. The FAA explained that the change had resulted when the agency standardized the language in section 145.221 to match language in parts 121, 125, and 135, which do not include the word "serious." The agency agreed to correct the omission in section 145.211(a) in order to preserve the original intent of the rule.

The delay of the SDR rule necessitated an additional technical correction in Part 145 as well. In the old rule, sections 145.63 and 145.79 reference the specific sections of parts 121, 125, and 135 that allow certificated repair stations to submit SDRs on behalf of their air carrier customers. These specific

references were carried over into the new section 145.221. Because section 145.221 will become effective fully two years before the sections to which it is referring, the FAA is replacing the specific section references with the applicable part numbers. This amendment will require repair stations simply to follow whatever requirements are set out in parts 121, 125, and 135, depending on the certificate holder involved.

The FAA is adopting the final rule amending section 145.221 without prior notice and public comment—the agency believes that it presents no changes to current industry practice.

### HAZMAT TRAINING?

The Federal Regulations state that anyone who ever ships hazardous materials is a hazmat employer. Hazmat employers are required by law to train any employee who affects the safe transportation of hazmat.

If you ship used engine components, batteries, chemical oxygen generators, certain control surface counterweights, paint, or anything with fuel residue remaining in it, then you may be shipping hazmat!!

ASA provides the training that the law says you **MUST** have. ASA is working on its 2004 hazmat training schedule **RIGHT NOW**.

*If you need recurrent or initial hazmat training, call ASA at (202) 347-6898 and ask for Jeanne Pearsall.*

UPNs are published by the FAA's SUPs Program Office. They are republished here as a service to our readers. The Association is not responsible for claims made by the Notification. All questions should be directed to the FAA contact office listed in the Notification.

# UNAPPROVED PARTS NOTIFICATION

SUSPECTED UNAPPROVED PARTS PROGRAM OFFICE, AVR-20  
13873 PARK CENTER ROAD, SUITE 165  
HERNDON, VA 20171



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

UPNs are posted on the Internet at <http://www.faa.gov/avr/sups/upn.cfm>

No. 2003-00043  
Feb. 2, 2004

---

Published by: FAA, AIR-140, P.O. Box 26460, Oklahoma City, OK 73125

## AFFECTED AIRCRAFT

Lockheed C-130/L-100 series.

## PURPOSE

The purpose of this notification is to advise all aircraft owners, operators, manufacturers, maintenance organizations, and parts distributors regarding improper maintenance performed on accessories applicable to Lockheed C-130/L-100 series aircraft.

## BACKGROUND

Information received during a Federal Aviation Administration (FAA) suspected unapproved parts investigation revealed that Airborne Technologies, Inc. (Airborne), located at 999 Avenida Acaso, Camarillo, CA 93012, improperly approved for return to service accessories applicable to Lockheed C-130/L-100 series aircraft. Airborne previously held Air Agency Certificate No. WY2R283L.

Evidence indicated that Airborne failed to accomplish maintenance on various accessories in accordance with current manufacturers' maintenance manuals or Instructions for Continued Airworthiness, or other FAA-accepted procedures. Discrepancies noted include the failure to perform certain nondestructive testing required by manufacturers' maintenance manuals. Evidence also indicated that Airborne did not possess all the test equipment required to accomplish test procedures per overhaul instructions. The FAA has been unable to determine the exact time span during which these improprieties occurred; therefore, all accessories overhauled by Airborne are considered suspect.

## RECOMMENDATION

Regulations require that type-certificated products conform to their type design. Aircraft owners, operators, manufacturers, maintenance organizations, and parts distributors should inspect their aircraft, aircraft records, and/or aircraft parts inventories for any accessories that Airborne maintained. If any accessories maintained by them have been installed on aircraft, appropriate action should be taken. If any are found in existing aircraft stock, it is recommended that the accessories be quarantined to prevent installation until a determination can be made regarding their eligibility for installation.

## FURTHER INFORMATION

Further information concerning this investigation may be obtained from the FAA Flight Standards District Office (FSDO) given below. The FAA would appreciate any information concerning the discovery of the above-referenced accessories from any source, the means used to identify the source, and the action taken to remove these accessories from service.

For additional information, contact the Van Nuys FSDO, 16501 Sherman Way, Suite 330, Van Nuys, CA 91406, telephone (818) 904-6291, fax (818) 786-9732. This notice was published through the Suspected Unapproved Parts Program Office, AVR-20, telephone (703) 668-3720, fax (703) 481-3002.

UPNs are published by the FAA's SUPs Program Office. They are republished here as a service to our readers. The Association is not responsible for claims made by the Notification. All questions should be directed to the FAA contact office listed in the Notification.

# UNAPPROVED PARTS NOTIFICATION



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

SUSPECTED UNAPPROVED PARTS PROGRAM OFFICE, AVR-20  
13873 PARK CENTER ROAD, SUITE 165  
HERNDON, VA 20171

UPNs are posted on the Internet at <http://www.faa.gov/avr/sups/upn.cfm>

No. 2003-00043  
Feb. 2, 2004

---

Published by: FAA, AIR-140, P.O. Box 26460, Oklahoma City, OK 73125

## AFFECTED PRODUCTS

Aircraft, rotorcraft, or engines maintained and approved for return to service by Sidney Melvin Evans.

## PURPOSE

The purpose of this notification is to advise all aircraft owners, operators, manufacturers, maintenance organizations, and parts distributors regarding maintenance performed by Sidney Melvin Evans, located at 5870 Dove Avenue, Sarasota, FL 34241, who formerly held Federal Aviation Administration (FAA) mechanic certificate no. 264588141.

## BACKGROUND

Information received during FAA investigations revealed that Sidney Evans approved aircraft and engines for return to service, contrary to the Federal Aviation Regulations, between November 1999 and March 2002.

Evidence indicated that Sidney Evans performed maintenance on aircraft and engines, including (but not necessarily limited to) Franklin engine models 6A-350-C1 and 6A-350-C2, and Hiller helicopter models UH12B and UH12C, and failed to make an entry in the applicable maintenance record that contained the completion date of the work performed. Additionally, Sidney Evans made or caused to be made fraudulent or intentionally false entries in records or reports that were required to be made, kept, or used to show compliance with a requirement under Part 43 of the Federal Aviation Regulations.

## RECOMMENDATION

Regulations require that type-certificated products conform to their type design and be properly maintained using current data, required equipment, and appropriately trained personnel. Aircraft owners, operators, maintenance organizations, and parts distributors should review their aircraft records, engine records, and/or parts inventories for maintenance accomplished by Sidney Evans. The FAA has been unable to determine all aircraft or engines affected; therefore, all products approved for return to service by Sidney Evans should be considered suspect.

## FURTHER INFORMATION

Further information concerning this investigation may be obtained from the FAA Flight Standards District Office (FSDO) given below. The FAA would appreciate any information concerning the discovery of the above-referenced products from any source.

This notice originated from the Portland FSDO, 1800 NE 25<sup>th</sup> Ave., Suite 15, Hillsboro, OR 97124, telephone (503) 681-5500, fax (503) 681-5555; and was published through the FAA Suspected Unapproved Parts Program Office, AVR-20, telephone (703) 668-3720, fax (703) 481-3002.

# Issues of the Update Report Are Now Online!

Are you reading a borrowed copy of the Update Report? Subscriptions to the Update Report are now FREE to persons in the aviation industry or the government. To receive your free subscription, send your name, title, company, address, phone number, fax number and email address to ASA. Our email address is [info@aviationsuppliers.org](mailto:info@aviationsuppliers.org) and our fax number is (202) 347-6894.

Back issues of the Update Report are now on-line! Missing a prior issue? Issues of the Update Report are being added to the ASA web site shortly after they are published.

## **UPCOMING EVENTS** \* = Look for ASA Personnel on the speaking program or on the Trade Floor

### **2004**

**Mar. 22-24 \*Gorham PMA Conference**, San Diego, CA. See <http://www.goradv.com> for details.

**Mar. 29-31 \*AEA Annual Convention**, Paris Hotel, Las Vegas, NV. See <http://www.aea.net> for details.

**Apr. 20-22 MRO**, Atlanta, GA. See <http://www.awgnet.com/conferences/mromain.htm>

**May 18-20 \*AS3 and GSE**, Las Vegas, NV. See <http://www.gseexpo.com/gseexpo/index.po>

**June 27-29 \*ASA Annual Conference**, Ritz-Carlton Hotel, San Francisco, CA.

See [http://www.aviationsuppliers.org/training/Conference\\_04.htm](http://www.aviationsuppliers.org/training/Conference_04.htm) for details

**Aug 21-24 ACPC**, Marriott Marquis Hotel, New York, NY. See <http://www.acpc.com> for details.

**Sept. 14-16 MRO Europe**, Copenhagen, Denmark. See <http://www.awgnet.com/conferences/meumain.htm>

Do you have suggestions for what you'd like the Association to focus on for 2004? Now is your opportunity to let us know what you need! Please do not hesitate to contact the Association by phone, fax or email if you have suggestions or items that you'd like us to concentrate on in 2004.

Aviation Suppliers Association  
734 15th Street, NW, Suite 620  
Washington, DC 20005  
Telephone: (202) 347-6899  
Facsimile: (202) 347-6894

**January 2004**