

Title	Control of contracted maintenance personnel
NPA Number	NPA 2010-08

SVFB/SAMA (Franz Meier, franz.meier@svfb.ch) has placed **1** reactions on this NPA:

NPA Page	Reaction to	Reaction	Attachments
0	(general reactions)	<p>2010-08_npa_crd_reaction of SAMA/SVFB/ASEA Control of contracted maintenance personnel issue 04 110908</p> <p>Swiss Aircraft Maintenance Association represents the Swiss Aircraft Maintenance Organisations</p> <p>Side remark: The Term B1 and B2 support staff is defined with ambiguity, as in 145.30 ff requires the B1 or B2 staff whom supports the C licence holder to have a licence and on other locations in the text it seems to be staff without a licence whom is B1 and B2 support staff or having other (support) functions. A clear distinction by definition should be in the glossary. Holder of a B1 and B2 licence have high, known and defined level of competence and knowledge as stipulated by their licence.</p> <p>Our opinion is this NPA should not become regulation. We think the justification in the ToR was not sufficient to demonstrate the need to change the present regulation. The root causes of the accidents driving 2010-08 are most outside of the EASA area.</p> <p>If changes are made they should simplify the actual 145.30 and subchapters in order to improve the present version for easier reading, understanding and easier implementation and supervision.</p> <p><i>As all the quoted accidents are a decade back, supposing that the regulations system did work acceptably adequate, there must have been directives issued and/or other countermeasures to address the problem source. Our comment to the given accidents:</i></p> <p>000725_AF4590 Concorde: where the investigators concluded that:</p> <ul style="list-style-type: none"> After reaching take-off speed, the tyre of the number 2 wheel was cut by a metal strip lying 	

on the runway, which came from the thrust reverser cowl door of the number 3 engine of a Continental Airlines DC-10 that had taken off from the runway several minutes before. **This strip was installed in violation of the manufacturer's rules.**

The rule was there, but not followed. Since then, there has been directive for this repair. The proposed additional rulemaking would not have prevented it.

000227 BA 179 B747 A/P Pitch up

The respective chapters in the Maintenance Manual have been revised due to the accident.

The instructions to the personal were not complete. The proposed additional rulemaking would not have prevented the accident.

000524 Helicopter: installation of a bogus part:

The data plate was missing and the area where the plate had been factory mounted was raised and painted over. This accident would not have been prevented by additional rules. All necessary rules have been in place to avoid such an installation.

Rulemaking on accident far in the past and especially on outdated aircraft must take into account all material which have been created by the local NTSB's and the NAA's since the accident and for sure some important changes and/or AD's and SB's have been issued and implemented since the accidents which make additional rulemaking obsolete.

Otherwise duplication, triplication and quadrupling of rulemaking for the same code happens, which is one of many reasons present rules are overly complex. The proposed changes are not improving the present regulation.

The German LBA has brought it to the point:

"19 comment by: Luftfahrt-Bundesamt

LBA Comments:

- The proposed change of the AMC is only based on "feedback without any detailed substantiation and statistically-based safety received" analyses.

- The 50/50 ratio of the current AMC is used with limited individual exemptions. The AMC draft opens these exceptional possibilities „...for the purpose of meeting a specific operational necessity...“ without any limitation or further explanation. This indefinite legal term opens the possibility for regular unlimited use. The safety impact assessment states that the risk of a following destabilization of the organization is mitigated by the involvement of the competent authority and the necessity for a control procedure. That means the authority shall take responsibility for the safety in this process by extra involvement in surveillance and approval of procedures, which requires additional personal capacities in the authorities.

- The requested control procedure requires amongst others that managers, planners, mechanics, specialized services staff, supervisors, quality audit staff, certifying staff and B1 and B2 support staff, whether employed or contracted, are assessed for competences before unsupervised work commences and competence is controlled on a continuous basis based on detailed lists (GM 2 145.A.30 (e) which are mentioned as not exhaustive. The intention of the AMC to provide information for the control of the contracted personnel is extended also to employed staff. This is not necessary because EASA states in the background information: “Approved maintenance organisations generally fulfil these requirements when referring to personnel directly employed by the company”. This proposed AMC creates an additional burden to industry and responsible authorities which is not based on a substantial safety analysis resulting in a safety benefit.

Based on these comments LBA refuses the NPA 2010-08.”

End quote

The rule should one be issued must take into account that SME’s with less than hundred staff will have good overview of contracted staff with the present regulation, with their present process and would only have better control with the present regulation reduced further to it’s essence.

The impact of the proposed NPA may be minimal for EASA's head office, but not for the industry nor for the NAA's.

The use of contracted staff for specialised task on call for AOG's, like NDT staff, specialized staff for engine borescope and other such specialities will be prohibitive by this NPA and cause either unsafe shortcuts ore a controlled maintenance action will become an AOG where it would not be necessary.