

May 13, 2011

U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

**RE: DOCKET NO. FAA-2010-0247, Safety Enhancements Part 139,
Certification of Airports**

The National Air Transportation Association (NATA), the voice of aviation business, is the public policy group representing the interests of aviation businesses before Congress, federal agencies and state governments. NATA's 2,000 member companies own, operate, and service aircraft. These companies provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air transportation, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry providing services to the general public, airlines, general aviation, and the military.

NATA appreciates the opportunity to comment on these proposed regulations. Of the three distinct components of this proposed rule, NATA's comments are limited to the proposal to require airports certificated under 14 CFR 139 to provide training for individuals with authorized access to the airport non-movement area.

NATA agrees with the Federal Aviation Administration (FAA) assessment that "non-movement area safety can be improved with increased training." NATA has long been a proponent of training for line service personnel and others working in the airport non-movement area. NATA's Safety 1st Professional Line Service Training Program (PLST) is currently utilized by over 300 on-airport businesses to train more than 3,000 employees working in airport movement and non-movement areas. It is our belief that this proposed rule will continue to build upon industry and government efforts to increase airport safety.

Comments

- I. FAA proposes to exempt "Airmen exercising the privileges of an applicable airman certificate" from the requirements to have received non-movement area safety training. NATA concurs with this exemption and believes that the FAA's intent is to allow an airman to have unescorted access throughout the course of exercising applicable airman privileges and associated tasks. However a strict reading of the regulatory language could lead to interpretations such as: a pilot who has not received safety training may not walk, unescorted, through the non-movement area to get to his or her aircraft, since walking through the non-movement area is not a privilege associated with an airman certificate. NATA believes a simple statement of clarification in the final rule preamble will help to clarify the FAA's intent.

- II. The FAA proposes to require annual retraining of all individuals with unescorted access to the non-movement area. NATA believes that the costs associated with annual retraining do not justify the small additional benefits from such frequent retraining. NATA, through its own research and development process, has adopted a two-year recertification process for our Safety 1st PLST. Our experience has taught that too frequent retraining on basic tasks not only provides little benefit for the additional cost, it also can lead to a negative attitude towards the training by trainees as they feel forced to repeat “unneeded” training constantly. NATA requests that the FAA adopt a two-year retraining cycle for non-movement training.
- III. The FAA has asked for comments on the Regulatory Flexibility Determination contained within the NPRM. NATA believes that the mitigations provided by the FAA will offset a portion of the cost of this rulemaking. However, NATA also proposes that airports be permitted to accept training meeting the requirements of §139.303 (g)(3) that is provided by tenants to their own employees as sufficient to allow unescorted access to the non-movement area. Many airport tenant businesses already provide training to their own employees that either exceeds, meets or can be easily modified to meet the proposed regulatory requirements. Adopting this proposal will allow airports to take advantage of existing training programs, such as NATA’s Safety 1st PLST, without incurring the cost of providing duplicative training themselves.

NATA appreciates the opportunity to provide these comments and looks forward to continuing to work with the FAA to increase the level of safety and efficiency at our nation’s airports.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael France", written in a cursive style.

Michael France
Director, Regulatory Affairs