

## **TSA ISSUES REPAIR STATION SECURITY RULE**

November 17, 2009

### ***What's at Issue***

The Transportation Security Administration (TSA) has issued a Notice of Proposed Rulemaking (NPRM) affecting security at Federal Aviation Administration (FAA) certificated repair stations, both domestic and foreign.

### ***Why It's Important***

This NPRM, if finalized, would create regulations requiring all FAA-certificated repair stations to implement certain security policies and infrastructure. The TSA would have the authority to require the FAA to suspend or revoke the certificate of any non-compliant repair station.

### ***Major Provisions***

This NPRM would establish a new Part 1554 titled "Aircraft Repair Station Security" that would require any repair station, foreign or domestic, certificated under 14 CFR Part 145 to carry out a standard security program (SSP). The SSP would be required to describe:

- Access controls for the facility, aircraft and/or aircraft components
- Measures for identifying individuals with access to the facility, aircraft and/or aircraft components
- Procedures for challenging unauthorized individuals
- Security awareness training for employees
- The name of the facility's designated security coordinator
- A contingency plan
- The means to verify employee background information

The TSA is **not** proposing to include drug and alcohol testing as part of security requirements.

The TSA does recognize in the NPRM that differences in repair station location (on or off airport), types of aircraft serviced and scope of work performed affect the security risk inherent to the facility and therefore security provisions that would be necessary. As an example, the NPRM states that:

*"TSA would not require repair stations that are not located on or adjacent to an airport to implement the same physical security measures in the standard security program as those repair stations that are located on or adjacent to an airport."*

Additionally, the TSA determined that repair stations located on airports that only serve aircraft with a maximum takeoff weight (MTOW) of less than 12,500 lbs would pose less of a security risk and, therefore, would not be required to meet the same security requirements as repair stations on airports serving larger aircraft. The TSA is also proposing to exempt FAA-certificated repair stations located on active military installations.

**OVER...**

(Major Provisions Continued)

In addition to requiring an SSP, this NPRM would:

- Codify the TSA's inspection authority
- Require foreign and domestic repair stations certificated by the FAA under Part 145 of the FAA's rules to allow TSA and DHS officials to enter, inspect, audit, and test property, facilities, and records relevant to repair stations
- Require affected repair stations to comply with TSA-issued security directives (SD)
- Establish a process to notify the FAA to suspend a certificate upon written notification by the TSA that a repair station has not corrected security deficiencies identified during a security audit within 90 days and to permit appeal of a certificate suspension
- Establish a process to notify the FAA to revoke a certificate upon written notification by the TSA that a repair station is an immediate risk to security and to permit appeal of a certificate revocation
- Require repair stations to submit a profile to the TSA to aid in determining the appropriate security requirements for the facility. The information required in the profile would include:
  - Identification of the repair stations, such as FAA certificate number, repair station name as it appears on the FAA certificate, and repair station address.
  - Description of location (on or adjacent to an airport, off airport in a business location, off airport private residence).
  - Security coordinator who will serve as the TSA point of contact.
  - If on an airport, the name and three letter designator of the airport.
  - Total number of employees.
  - Number of employees authorized unescorted access to aircraft over 12,500 MTOW.

### ***NATA Position***

The association is currently reviewing this NPRM and will provide comprehensive comments prior to the 60-day comment period deadline. The association will also provide bullet points that can be used by member companies in submitting their own comments to the TSA.

### ***Status***

The NPRM provides a 60-day comment period for industry and the public once it is published in the *Federal Register*.

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