replacement of the cabin interior since August 19, 1988, and to airplanes with 19 or fewer passengers.

The date of manufacture, as used in § 121.312, is the date on which inspection records show that an airplane is in a condition for safe flight. This is not necessarily the date on which the airplane is in conformity to the approved type design, or the date on which a certificate of airworthiness is issued, since some items not relevant to safe flight, such as passenger seats, may not be installed at that time. It could be earlier, but would be no later than the date on which the first flight of the airplane occurs.

For reasons discussed in the preamble to that amendment, Amendment 25–66 was adopted (53 FR 37542, September 27, 1988) to make minor refinements in the test procedures and apparatus required to show compliance with the standards adopted by Amendment 25– 61 and to add a requirement for smoke testing. Amendment 121–198, which was adopted at the same time, added a provision allowing deviations to be granted for certain components.

In the preamble to Amendment 25– 61, the FAA noted that the new heat release standards apply to all largesurface cabin interior components, such as sidewalls, ceilings, bins and partitions, and galley structures. It was also noted that the new standards do not apply to smaller items because their small masses would preclude significant contributions to the total heat release in the cabin area. The FAA has received a number of requests for clarification as to the maximum size a component may be without having to comply with the new heat release standards.

The distinction between parts with large surface areas, which must meet the new standards, and those with smaller surface areas is very difficult because of the size of the cabin and other factors that may vary from one airplane to another. For example, a specific component might be insignificant when installed in a large wide-body airplane because it would make a minor contribution to the overall flammability of the area of the cabin in which it is installed. On the other hand, it might represent a major contribution when installed in a smaller transport category airplane. The proximity of the component to a potential source of fire, such as an exit or galley, is also a consideration. It is not possible to cite a specific size that will apply in all installations; however, as a general rule, components with exposed-surface areas of one square foot or less may be considered small enough that they do not have to meet the new standards.

Components with exposed-surface areas greater than two square feet may be considered large enough that they do have to meet the new standards. Those with exposed-surface areas greater than one square foot, but less than two square feet, must be considered in conjunction with the areas of the cabin in which they are installed before a determination could be made.

Discussion

Since the time Amendments 25–61 and 121–189 were adopted, the FAA became aware of four areas in which the wording of the new rules does not clearly reflect the intent of the agency as discussed in the preamble to those amendments. Because the new rules do not clearly reflect the intent in those areas and because the comments that were received may have been based on the intent, as expressed in the preambles, rather than the literal wording of the rules, the following clarifications were proposed in Notice 90–12.

Cabin windows and clear vision panels in cabin partitions: The preamble to Amendments 25-61 and 121-189 states, "The new flammability standards do not apply to transparent or translucent components such as lenses used in interior lights and illuminated signs, and window anti-scratch panels, because of the lack of materials which will meet the flammability standards and still have the light transmissibility characteristics which are vital in emergency situations." Although not specifically mentioned in the earlier rulemaking, transparent panels are sometimes inserted in cabin partitions to enhance cabin safety. For example, they are sometimes used to provide seated flight attendants a clear, unobstructed view of the cabin or to provide passengers a view of an exit as an aid to an emergency evacuation. As in the case of lighting lenses and windows, the need for transparent partition panels that enhance cabin safety outweighs the increased safety provided by components that meet the new flammability standards considering the small area such transparencies would involve. In order to preclude confusion concerning the applicability of the standards to such transparent or translucent panels, § 25.853(a–l) (1) and (2) were proposed to read, "Interior ceiling and wall panels, other than lighting lenses and windows," and, "Partitions, other than transparent panels needed to enhance cabin safety," respectively. The maximum size of a transparent panel would, of course, be limited to that which is actually needed to enhance cabin safety.

It was noted that the FAA would consider further rulemaking to require those components to meet the new flammability standards should materials capable of meeting the new flammability standards and having the necessary light transmissibility characteristics for use as windows, etc., be developed later.

Galleys: As currently worded, §25.853(a–1) states that the new flammability standards apply to the "outer surfaces of galleys." This phrase was intended to make an exception for the interior surfaces of galley cabinets, etc., that would not be exposed to a cabin fire. It is ambiguous, however, because most galleys are not isolated from the main cabin by a door. While one might consider the surfaces of a galley working are to be "inner surfaces," they are actually outer surfaces in most installations in the sense that they could be exposed to a cabin fire. In addition, the inner walls of the galley cart cavity or standard container cavity may also be exposed on some lightly loaded flights when there is not a full complement of carts or containers on board. In order to preclude any confusion in this regard, it was proposed that §25.853(a-1) would be amended to clarify that any galley surface exposed to the passenger cabin must meet the new standards.

Isolated compartments: Unlike previously existing paragraphs (a) and (b) of §25.853, the new flammability standards of paragraph (a-1) were intended to apply only to the passenger cabin and not to compartments that are isolated from the passenger cabin. Due, however, to the organization of §25.853(a-1), if taken literally, the new standards also pertain to each compartment occupied by crew (including one occupied only on a temporary basis) or passengers regardless of whether the particular compartment is isolated from the passenger cabin.

Neither the research and development program nor the regulatory evaluations on which the new flammability standards were based considered that compartments isolated from the passenger cabin (or cabins in the case of airplanes with passenger cabins located on two different decks) would have to comply with the new standards. Unlike most galleys located in the main cabin, remote galleys and other compartments, such as lavatories, pilot compartments and crew rest or sleeping areas, are generally isolated from the passenger cabin by at least a door. In some instances, they are located on separate decks. They would, therefore, not be exposed to a cabin fire until well after