



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

Aircraft Certification Service  
800 Independence Avenue S. W.  
Washington, DC 20591

APR 11 2013

RECEIVED  
APR 25 2013

Mr. Craig L. Fabian  
Vice President Regulatory Affairs and Assistant General Counsel  
Aeronautical Repair Station Association  
121 North Henry Street  
Alexandria, VA 22314-2903

Dear Mr. Fabian:

Thank you for your December 6, 2012 letter concerning an FAA Designated Engineering Representative (DER) rescinding approval of a repair specification.

A Repair Specification (RS) is a form of approved data issued by an FAA designee. A RS is not a design approval; it has no certificate issued under part 21, and thus has no holder with certificate privileges and responsibilities. It is data that the designee has found is compliant with the airworthiness standards.

You are correct that a designee does not have the authority to make "unsafe condition" determinations. But that is not what a designee is doing when the designee discovers that an approval was made in error.

A RS can be used as approved data for accomplishing major repairs as long as the RS approval is valid. If a designee determines that an RS approval he or she made was in error and that the approval is no longer valid, the FAA expects that the designee would bring that error to the attention of the user of the approval and that the user would cease using the data as "approved". Please note that this is neither a rescission nor revocation of the approval of data used for articles or aircraft that have already been returned to service after the repair, nor is it a determination of an unsafe condition. It is simply recognition that the RS is no longer valid as approved data for future repairs.

I apologize that this reply has been delayed but the incoming letter was only recently received. To ensure a timely response in the future, please follow up to confirm that any correspondence transmitted by email was received. If you have any other questions concerning repair specification issues, please feel free to contact Jon Mowery with the Airworthiness Procedures Branch, AIR-112 at 562-627-5207 or [jon.mowery@faa.gov](mailto:jon.mowery@faa.gov).

Sincerely,

<sup>for</sup> David W. Hempe  
Manager, Aircraft Engineering Division  
Aircraft Certification Service