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Aircraft Repair Station Security Rule Questions and Answers

IMPORTANT NOTICE

TSA is providing this guidance and clarification document to address common questions received by TSA from industry stakeholders in reference to the Final Aircraft Repair Station Rule.

1. What is required by the repair station in response to the notification letter?

TSA Response: For repair stations located within the U.S., the initial notification letter sent by TSA, informed them of the publication of the final repair station rule, notified them that TSA has identified the repair station as being subject to the rule, and provided the repair station with the appropriate TSA point of contact. The notification letter itself did not require any specific action. For repair stations located outside of the U.S., an initial outreach questionnaire was distributed along with the notification of publication letter, which requested confirmation of or update to repair station information TSA obtained from the FAA.

2. Who in TSA does the repair station provide the 24 hour security point of contact (POC) to?

TSA Response: Repair stations located within the U.S. may provide the information to the TSA POC identified in the initial notification letter. Repair station contact information will also be collected by the TSA during outreach visits. For repair stations located outside of the U.S., POC information will be collected through in-person audits and the desk audit questionnaires of repair stations.

If the repair station is unsure who their TSA POC is, they should email TSA headquarters using the below addresses as appropriate:

Repair Stations located within the U.S.: ARS@tsa.dhs.gov

Repair Stations located outside of the U.S.: FRS@tsa.dhs.gov



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3. When will the local TSA Outreach visits occur? And will they visit each and every repair station?

TSA Response: For locations within the U.S., the outreach schedule is determined locally by the TSA Federal Security Director and Assistant Federal Security Director for Inspections and will focus primarily on those repair stations that are located on/adjacent to an airport, as defined in the rule text. In some cases, outreach visits have been initiated. Others will be scheduled as soon possible. For locations outside of the U.S., TSA has completed the initial audits as required by statute.

4. TSA offices seem to be providing different interpretations on an issue. One example, one repair station in the network has been told by one TSA office that building security (restricting customers from entering the hangar due to AOA access) is very important and another office says that the rule does not require that and they are only concerned with securing large aircraft capable of flight.

TSA Response: The repair station final rule does not require access control measures. However, many repair stations are located on the perimeter and may be subject to observing access control measures required by an Airport Security Plan (ASP). If an inspector discusses access control responsibilities with a repair station and is ambiguous about the source of the requirement, please ask the inspector. If the inspector states that the repair station rule is the source of the requirement, please advise TSA HQ.

Repair Stations located within the U.S.: ARS@tsa.dhs.gov

Repair Stations located outside of the U.S.: FRS@tsa.dhs.gov

5. Who at TSA is responsible for receiving and approving requests for “other means” to prevent the unauthorized operation of all large, unattended aircraft capable of flight?

TSA Response: Requests for the approval of “other means” must be submitted in writing by a repair station to their assigned TSA POC. Each request will be reviewed on a case-by-case basis as quickly as possible. Upon review completion, TSA will provide a final approval or disapproval in writing back to the request repair station. If a repair station has facilities located in multiple geographic areas, the repair station should submit their request to the TSA POC located nearest to their headquarters location.



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6. Can an association get approval of “other means”?

TSA Response: Approval of “other means” will be determined on a case-by-case basis and may only be granted to a requesting repair station.

7. What supplemental information needs to be filed with a request for approval of “other means”?

TSA Response: In the request for the approval of “other means,” the repair station must identify the specific measure(s) for which it seeks approval, and fully describe how the “other means” will prevent the unauthorized operation of a large aircraft.

8. The rule states, “attended” aircraft means an aircraft to which access is limited to authorized individuals and property” (§ 1554.1(b)). Does the agency agree that aircraft is attended if the repair station has 24-hour a day security guards with scheduled rounds and is a tenant of a fixed-based operation (FBO) that has 24 hour “line service” and/or security guards?

TSA Response: One of the primary purposes of the final rule is to enhance security at repair stations that have access to runways and mitigate the potential risk that a large aircraft could be used as a weapon. TSA considers the aircraft to be attended when a repair station employee is physically in the presence of the aircraft, onboard the aircraft, or within direct visual observation of the aircraft. Technology assisted observation (example remotely monitored surveillance cameras) is *not* sufficient to meet the requirements of “attended”.

9. Is a large aircraft that has been released (i) under the repair station certificate’s authority and (ii) contractually from the repair station’s dominion and control, but that remains staged on the company’s ramp for departure considered the repair station’s responsibility under the TSA rule?

TSA Response: TSA considers the repair station to be responsible for the large aircraft until the aircraft owner or operator has taken delivery and/or control of the aircraft.



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10. Is a large transient aircraft parked on the repair station ramp which will never come under the (i) authority of the repair station and/or (ii) contractual dominion and control of the repair station under the TSA regulation?

TSA Response: TSA considers a repair station to be responsible for a large aircraft when the repair station has authority over the aircraft, contractual dominion or control of the aircraft, or when the repair station knows or should know that a large aircraft has been tendered to them by an aircraft owner or operator.

11. When repair station personnel are working away from the fixed location on a large aircraft under the dominion and control of another company or the owner/operator (e.g., private owner or air carrier), will the repair station security measures apply?

TSA Response: The security measures are required only at repair stations that are located on/adjacent to an airport, as described in the final rule. Security measures are not required for maintenance work performed at other locations.

12. What is the applicability of the implementing the security measures for preventing unauthorized operation of a large aircraft in situations when the aircraft owner and operator are also the holder of a limited Part 145 certificate located on or adjacent to an airport fitting the definition of the rule?

TSA Response: TSA is aware of the existence of "hybrid" or mixed-use facilities. It will be the part 145 certificated repair stations' responsibility to delineate the parts of the station that are subject to the final rule and those that are not. If a repair station determines it is not possible to make such delineation, the repair station must implement the security measures for all large aircraft on the facility's leasehold and/or property.

13. In § 1554.101(b)(2)(iii), the rule describes one method of securing an aircraft as, "move stairs away from the aircraft and shut and, if feasible, lock all cabin and/or cargo doors, and control the key." It is impossible to lock all cabin and/or cargo doors; too clarify, is it satisfactory to only move the stairs and shut the doors?

TSA Response: TSA recognizes that it is not possible to lock all aircraft cabin doors and/or cargo bins. Moving the stairs away from the aircraft and locking those cabin and/or cargo doors and bins which can be locked, would be acceptable.



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14. The regulation requires background verifications for certain employees. The repair station may either verify the individual's employment history, "confirm" that the individual holds a FAA airman certificate, or (for a repair station located in the U.S.) "confirm" that the individual has obtained a security threat assessment, such as by holding a SIDA badge (§ 1554.101(b)(3)(i)-(v)). What constitutes "confirmation" under the rule?

TSA Response: To establish confirmation of an airman certificate, a repair station operator would (1) maintain a photocopy of the front and back sides of an airman certificate, (2) maintain a copy of the written response from FAA's Airmen Certification Branch providing verification, or (3) maintain verification from the airport operator that an employee holds an airport-issued ID media where a security threat assessment has been successfully completed.

15. Section 1554.101(b)(2) describes methods of preventing unauthorized operation of all large aircraft capable of flight. Does TSA agree that a defueled or disabled aircraft, due to ongoing maintenance, is incapable of flight?

TSA Response: Yes, if the method of disabling makes it impossible for the aircraft to take flight.